

1 State of California, Department of Health Services.

2 c. Family Housing, Coleville, CA:

3 The Marine Corps also operates a family housing area on a tract approximately 40 acres in  
4 size and about 25 miles from the Base Camp. The facility, owned in fee by the U.S. Navy, is located  
5 within the West Walker River watershed on the eastern slope of the Sierra Nevada Mountains  
6 between the towns of Topaz, Nevada and Coleville, California. More specifically, the housing  
7 facility is located on the west side of highway 395, approximately 1.5 miles north of Coleville and  
8 about a quarter mile from the river. The housing area's domestic water demand, including domestic  
9 irrigation (lawn-watering of family gardens), is served by five wells. Water is diverted from these  
10 wells up to the following amount:

11 Well No. 1 - 21 GPM

12 Well No. 2 - 27 GPM

13 Well No. 3 - 14 GPM

14 Well No. 4 - 21 GPM

15 Well No. 5 - 200 GPM

16 The State of California, Department of Health Services, granted a permit for Well Nos. 1 - 4  
17 on December 15, 1986, as water permit # 86-048, and amended that permit on February 11, 1994, to  
18 add Well No. 5 to the system.

19  
20 ELEVENTH CLAIM FOR RELIEF

21 BUREAU OF LAND MANAGEMENT

22 67. Paragraphs 1-66 are incorporated herein as if fully set forth in this paragraph 67.

23 68. Certain lands were reserved from the public domain to establish Public Water Reserves  
24 No. 29, No. 70, and No. 107 (hereinafter "PWR"). These reservations were made pursuant to  
25 Executive Orders dated June 1, 1915, March 8, 1920 and April 17, 1926, respectively, and are  
26 administered by the Department of the Interior through the Bureau of Land Management ("BLM"),  
27 except as noted below.

28 69. The United States is entitled to the use of all of the waters located in, on, under, or

otherwise appurtenant to the lands of the PWRs necessary to fulfill all of the purposes recognized under federal or state law. Such lands, except as noted below, are entitled to a federal reserved water right with a date of priority as of the date of each individual PWR.

70. The United States has and is also entitled to reserved water rights for public springs and water holes in amounts necessary to fulfill the purposes of the PWRs described in paragraph 78. above. The priority dates are the dates the lands were withdrawn from the public domain. These reserved rights include, but are not limited to, the following:

<u>Executive Order 6/1/15 - PWR #29</u>	<u>Reserved Acres</u>	<u>Flow</u>
T. 9 N., R. 28 E., Sec. 17, SW1/4NW1/4, NW1/4SW1/4	80 ac.	1 GPM
T. 11 N., R. 28 E., Sec. 7, (unsurveyed)	125.60 ac.	1 GPM
<u>Executive Order 3/8/20 - PWR #70</u>	<u>Reserved Acres</u>	<u>Flow</u>
T. 5 N., R. 28 E., Sec. 11, SW1/4NE1/4, SE1/4NW1/4	40 ac.	All
T. 5 N., R. 28 E., Sec. 30, N1/2 of lot 5	approx. 25 ac.	All

The above two PWRs are now located on land administered by the U.S. Forest Service pursuant to the National Forests and Public Lands of Nevada Enhancement Act of 1988, Pub. L. No. 100-550, § 5, 102Stat. 2749, 16 U.S.C. § 460ccc-3 (1988).

<u>Executive Order 4/17/26 - PWR #107</u>	<u>Reserved Acres</u>	<u>Flow</u>
T. 7 N., R. 28 E., Sec. 10, E1/2SE1/4	80 ac.	5 GPM
T. 7 N., R. 28 E., Sec. 11, NW1/4SW1/4	40 ac.	5 GPM
T. 7 N., R. 28 E., Sec. 15, N1/2NE1/4, SW1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, S1/2SW1/4	280 ac.	3 GPM
T. 7 N., R. 28 E., Sec. 21, NE1/4	160 ac.	2 GPM
T. 7 N., R. 28 E., Sec. 22, NW1/4NW1/4	40 ac.	2 GPM
T. 9 N., R. 28 E., Sec. 20, N1/2NE1/4	80 ac.	1 GPM

71. The United States has acquired and is therefore entitled to certain water rights which were previously adjudicated and decreed in the C-125 Walker River Decree. These lands were acquired by the United States and are identified as follows:

<u>Legal Description</u>	<u>Water Right Acres</u>
SW1/4SE1/4, Sec. 14; NW1/4 NE1/4, SW1/4 NE1/4, NW1/4 SE1/4, Sec. 23, T 3 N, R 25 E (C-125 Assessment, Roll # 63, Card # 105750)	160.00
Part of Claim #210 SE1/4NE1/4, E1/2SE1/4, NE1/4 SW1/4, S1/2 SW1/4, Section 23; NE1/4NE1/4, NW1/4NW1/4, Sec. 26; SW1/4SW1/4, Section 20; NW1/4 NW1/4, Section 29, T 3 N, R 25 E. (C-125 Assessment, Roll # 64, Card # 105751)	400.00

72. The United States also has and is also entitled to riparian water rights under California state law for riparian lands managed by the BLM. The priority date for lands which the United States has held continuously since taking title from Mexico under the Treaty of Guadalupe Hidalgo is February 2, 1848. In the case of acquired land, the priority date is the date the land was patented out of the public domain. The water is used for the purpose of sustaining the existing riparian vegetation and providing habitat for fish and wildlife. The above rights are appurtenant to the following stream reaches:

Virginia Creek and tributaries

Public Land

T 3 N., R 25 E.: Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15

T 4 N, R 25 E: Sections 35, 34, 27, 26, 25

Acquired land: T 3 N, R 25 E: Sections 21, 22, 23, 24, 25, 26, 27, 34, 35

Clear Water Creek and tributaries

Acquired Land

T 3 N, R 25 E: Section 12; T 4 N, R 26 E: Section 33

T 3 N, R 26 E: Sections 5, 6, 7, 18

Public Land

T 3 N, R 25 E: Section 1, 12

- 1 T 4 N, R 25 E: Section 24
- 2 T 4 N, R 26 E: Sections 31, 32, 34, 35, 30, 28, 27, 10, 14, 16, 19, 21, 22, 23
- 3 Aurora Canyon and tributaries - Rock Creek and other unnamed creeks
- 4 Public Land  
T 4 N, R 25 E: Sections 1, 12, 10, 11
- 5 T 4 N, R 26 E: Sections 4, 3
- 6 T 5 N, R 25 E: Sections 35, 27, 26, 25, 24, 23, 14, 15, 12, 11, 10, 2
- 7 T 5 N, R 26 E: Sections 31, 32, 33, 29, 22, 21, 20, 19, 18, 17, 7, 8
- 8 Rough Creek and tributaries
- 9 Public Land  
T 4 N, R 26 E: Sections 1, 2, 3
- 11 T 4 N, R 27 E: Section 6
- 12 T 5 N, R 26 E: Sections 35, 34, 26, 25, 24, 23, 22, 12, 13, 14
- 13 T 5 N, R 26 E: Sections 12, 11, 10, 9, 1, 2, 3, 4
- 14 T 5 N, R 27 E: Sections 31, 32, 33, 30, 29, 28, 19, 20, 18, 17, 7, 8, 9, 6
- 15 T 6 N, R 26 E: Sections 32, 33, 34, 35, 36
- 16 Including Portions of Bodie, Matastra and Rough Creeks that originate in California and flow into Nevada.
- 17 Bodie Creek tributaries  
T 4 N, R 26 E: Section 12  
T 4 N, R 27 E: Sections 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 15, 16 and 17  
T 5 N, R 27 E: Sections 25, 26 and 35.
- 20 Green Creek  
T 4 N, R 25 E: Section 33
- 22 Topaz Lake Area
- 23 Slinkard Creek and tributaries  
T 9 N, R 22 E: Sections 4, 5, 6, 7, 8, 9, 10, 11, 14, 18, 19, 22, 23, 26 and 30
- 25 Mail Creek and tributaries  
T 8 N, R 23 E: Sections 29, 31 and 32  
T 8 N, R 22 E: Sections 1, 12, 14, 23 and 26.
- 27
- 28 73. The United States is also entitled to certain appropriative water rights, including rights

1 that either have been permitted and certificated pursuant to Nevada or California state law, or have  
2 applications pending for appropriation before the Nevada State Engineer and before the California  
3 Water Resources Control Board. In addition, the United States has riparian rights pursuant to  
4 California state law.

5  
6 WHEREFORE, the United States of America, in its first amended counterclaim on its own  
7 behalf and for the use and benefit of the Walker River Paiute Tribe, the Yerington Paiute Tribe, the  
8 Bridgeport Paiute Indian Colony and individual Indians owning allotments in the Walker River Basin  
9 prays that this court enter judgment and decree as follows:

10 (1) Quieting the title of the United States to the use in proper priority of the above-  
11 claimed waters rights on its own behalf and for the use and benefit of the Walker River Paiute Tribe,  
12 the Yerington Paiute Tribe, the Bridgeport Paiute Indian Colony and individual Indians owning  
13 allotments in the Walker River Basin.

14 (2) Declaring that the United States, on its own behalf and for the use and benefit of  
15 the Walker River Paiute Tribe, the Yerington Paiute Tribe, the Bridgeport Paiute Indian Colony and  
16 individual Indians owning allotments in the Walker River Basin, are entitled to the exclusive use,  
17 occupancy and right to the quiet enjoyment of such water rights in their proper priority.

18 (3) Declaring that the defendants and counterdefendants have no right, title or other  
19 interest in or to the use of such water rights.

20 (4) Preliminarily and permanently enjoining the defendants and counterdefendants  
21 from asserting any adverse rights, title or other interest in or to such water rights.

22 (5) Grant such other and further relief as the Court deems proper.

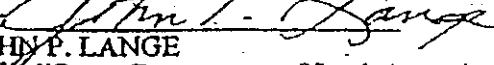
23 DONE this day of 30<sup>th</sup> day of July, 1997.

24  
25 Respectfully submitted,

26 LOIS SCHIFFER

27 Assistant Attorney General  
28 United States Department of Justice  
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CERTIFICATE OF SERVICE

I hereby certify that I have this 30th day of July, 1997, served a true copy of the foregoing **FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA** by placing same in the U. S. mails, postage prepaid, addressed as follows:

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702/782-3099

6 Attorneys for the WALKER RIVER PAIUTE TRIBE

7  
8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE DISTRICT OF NEVADA**

10 **UNITED STATES OF AMERICA,**

11 Plaintiff,

12 **WALKER RIVER PAIUTE TRIBE,**

13 Plaintiff-Intervenor,

14 vs.

15 **WALKER RIVER IRRIGATION DISTRICT,**  
16 a corporation, et al.,

17 Defendants,  
18  
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28

**IN EQUITY NO. C-125-ECR**  
**Subproceeding C-125-B**

**FIRST AMENDED**  
**COUNTERCLAIM OF**  
**THE WALKER RIVER**  
**PAIUTE TRIBE**

FILED  
97 JUL 31 AM 10:01  
BY LANCE S. WILSON  
CLERK  
DEPUTY

1 Acciari, Dennis; Acciari, Linda; Acciari Ranch Supply, Inc.; )  
2 Acosta, Alexis R; Acosta, Joe W; Adams, Gregory B; Adams, )  
3 Richard T; Ag Heritage Development; Aguiar, George B; )  
4 Aguiar, Janiel M; Aiazzi, Cynthia J; Aiazzi, Estelle M; Aiazzi, )  
5 Gary R; Aiazzi, Pete A; Albee, Florence M; Albee, William E; )  
6 Albright, Samuel & Cheryle Family Trust Agreement; )  
7 Aldridge, C Fred; Allen, Catherine M; Allen, Doris J; Allred, )  
8 Evan L; Alonzo, Rose M; Anaconda Minerals Co.; Anderson, )  
9 Brian D; Anker, Alton; Anker, Susan; Annett's Mono Village; )  
10 Antelope Valley Mutual Water Co.; Arcularius, Lorna Trust )  
11 Agreement; Arimetco, Inc. (International); Armstrong Family )  
12 Trust; Arrache 1990 Family Trust; Arrighi, Deborah F; )  
13 Arrighi, Mark N; Arsenio Family Trust; Ash, Kimberly L; )  
14 Atlantic Richfield Co. [ARCO]; Attaway, C & J Family Trust; )  
15 Bacon, Milton E, Jr. 1992 Trust; Bacon, Milton E; Bakker, )  
16 Douglas A; Bakker, Lora L; Balaam, Donald A; Balaam, Olga M; )  
17 Baptist 1999 Family Trust; Bar Keystone Ranch, a General )  
18 Partnership; Barber, Harriet Revocable Trust; Bartlett, Linda )  
19 Lodato; Batchelder, Josephine Shipley and Fred C 1983 Family )  
20 Trust; Bath, Barbara C; Bath, Ronald J; Batjer, Cameron M )  
21 Family Trust; Batjer, Christina; Batjer, Marybel; Bauer, Clyne )  
22 P. Trust, 1995; Beach, Donna Costa; Beckius, Kathleen M; )  
23 Bein, C Ellen; Bein, Richard H; Bell, Brian William; Bently )  
24 Family Limited Partnership; Berrington, Gary M; Berrington, )  
25 Susan P; Bitler, Ken & Peggy Family Trust; Blackford, Kathy S; )  
26 Blair, Ellen C; Blakely Family Living Trust; Blanchard 1988 )  
27 Living Trust; Blasco, James M; Blasco, James M Family )  
28 Ltd. Partnership; Blasco, Pamela A; Bledsoe, Alan A; Bledsoe, )  
Carol A; Bobrick, Ruth E; Bobrick, Thomas Trust; Bobzien, )  
Dolores J; Bodenstein, Irene M; Bodenstein, J. Kirk; Boggs, )  
Pamela S; Boggs, Williams S; Bohlin, Eleanor M; Bohlin, )  
Vera J; Bohlin, William B; Bohlin, William L; Bolt, Billy F; )  
Bolton, Charles V, III; Bolton, Kelly; Bolton-Rose Trust; )  
Booth, Karen; Borsini, Dale; Borsini, Norma J; Borsini Ranch, )  
Inc.; Botelho, Jacquelyn J; Botelho, William D; Bozsik, )  
Albert S, Jr.; Bozsik, Olivia V; Bracken, Vincent S; Brackett, )  
John J; Bradshaw, Leslie; Bradshaw, Pauline; )  
Break-A-Heart, LLC; Brethauer, Clarence D; Brethauer, Janet R; )  
Bromley Family Trust; Brönneke, Samuel P Family Trust; )  
Brown, Beverly E; Brown, Darrol J; Brown, Joel Wesley; )  
Brown, Lois L; Brown, Norman D, Inc.; Brown, Ross; )  
Brown, Sandra Gail; Bryan, Elizabeth J; Bryan, John L; )  
Bryan, Vernon F, Inc.; Bunkowski, Terry L; Burchett, Joseph L; )

1 Burnett, Kenneth R; Burnett, Sharon L; Busch, Brett Alex; )  
 2 Bush, Jack E; Buster, David C; Buster, Gayle L; Butterfly, Ellen; )  
 3 Buttler, Jeri; Bybee Richard E. and Ronee L. 2000 Revocable )  
 4 Trust Agreement; Bye, Jean Leslie; C.E.A.S. Co., Inc.; )  
 5 Cabral, Joseph P & Norma J 2002 Revoc. Lvg. Trust Agreement; )  
 6 Caldwell, Charles S & Lura Batjer Trust; California Dept. of Fish )  
 7 & Game; Callahan, David D; Callahan, Sandra J; CalNeva )  
 8 Cattle Co.; Calvest Associates; Cantrall, Nolan and Nancy Family )  
 9 Trust Agreement; Capurro, Janice E Trust; Capurro, Robert S )  
 10 & Suzanne Family Trust; Carey, Diane; Carey, John L; Carlin, )  
 11 Paul Kent; Carlin, Shelley; Carlini, Tod F Trust; Carlson, )  
 12 Bill Eric & Sharon Marie Trust Agreement; Carlson, Bill Eric; )  
 13 Carlson, Sharon Marie; Carpenter Living Trust; Carpenter )  
 14 Nevada, LLC; Carrasco, Elizabeth; Carrasco, Ray W; Casey, )  
 15 Claudia C; Casey, Michael A; Cashell Investments, LLC; )  
 16 Casino West, Inc.; Cavell, Richard J; Cefalu John N; Cefalu, )  
 17 Judith A; Centennial Livestock; Chase, Helen B; Chase, Irving )  
 18 Maxon Living Trust; Chase, Russell E; Chevron Resources; )  
 19 Chichester, Dwain; Chichester, et al.; Chichester Ranches; )  
 20 Chichester, Rhoda J; Chichester, Robert L., Jr.; Chichester, )  
 21 Ross J; Chico, James V, Jr.; Chico, Jennifer; Chilcote, )  
 22 David G; Chisum, Inc.; Christensen 1989 Trust; Christof, Brian S; )  
 23 Cid, Elaine C; Circle Bar N Ranch, LLC; Circle Bar N Ranch, )  
 24 A Nevada Partnership; Clark Family Trust; Clark, Donna K; )  
 25 Clark, Patricia D; Clements Family Trust; Cliff, Donald A; )  
 26 Cliff, Norman E; Cline, Caroline K; Cline, Jack R; Clugage, )  
 27 Keith Dean 1985 Trust; Collins, Judy; Compston Family 1982 )  
 28 Trust; Compston Joint Revocable Inter Vios Trust; Congdon, )  
 Peter F; Congdon, Stacy Loretz-; Cook, Gary; Cook, Margaret; )  
 Cooper, John; Cooper, Robert; Costa, James P; Costa, Norma )  
 Annett; Costa Ranch, LP; Cox, Kim K.; Crandall, Susan Jill; )  
 Creinetti, William G Trust; Crosby, Fred; Crosby, Judy; )  
 Crystal Clear Water Co., Inc.; Cummings, Marvin O; )  
 Cummings, Milena; Curtis Family Trust; D & S L I, LLC; )  
 D & S Waste Removal, Inc.; Dane, Frank R; Dane, Susan M; )  
 Davis, Diana; Davis Family )  
 Trust; Davis, Garry E & Dianne M Family Trust; Day, Sandra K; )  
 Day, Stephen R; Day's Desert Creek Ltd.; DeChambeau, )  
 Susannah W; Dechambeau, Scott I; Del Porto, Daniel E; )  
 Del Porto, Cherryl Ann; Del Porto, Julie A; Denton, Joseph W; )  
 Denton, Linda M; Desert Lake Campground; Desert Pearl Farms; )  
 Diehl Family 1999 Revocable Living Trust; Diekmann, Cynthia L )  
 Diekmann Trust Agreement; Dinneen Family 1997 Trust; )  
 Dockum, Don M. & Cheryl F; Domenici, Joseph & Gladys )

1 Family Trust; Domenici-Reese, Lona Marie; Donovan, Dwight; )  
2 Donovan, Heather; Douglas County:Topaz Lake Park, Topaz )  
3 Ranch Estates Park, Topaz Ranch Estates GID; Douglas, )  
4 Debra A Draper-; Douglas, Steven M; Dressler, DeVere; )  
5 Dressler, Milton; Dressler, Roxanne; Dressler, Tonja; Dreyer, )  
6 Joan; Dreyer, Roland; Dunn, Daniel D; Dykes Family Trust; )  
7 E.L.W. Ranches, Inc.; Eaton, Joan C; Eaton, Kenneth A; )  
8 Edwards, Shelley; Ehly, Desiree; Ehly, George; Ehrhart, Janice O;) )  
9 Ehrhart, Thomas A; Eller, Colby D; Eller, Julia C; )  
10 Elordi, Deva; Emens, Annette M; Emens, Theodore A; )  
11 Englert, Stephen; Estrada Family Trust; Evangelista, Gerardo; )  
12 Evangelista, Laurie; Everett, Virginia M; Ewert Family 1995 )  
13 Trust; F & B Trust; F.I.M. Corporation; Fairbanks, Robert )  
14 L. [Duffer]; Fannin, Glenn D; Fannin, Tracey L; Faria, Edwin F;) )  
15 Faria, Marty L; Farias, Carmen; Farias, Harold W; Farias, LLC; )  
16 Farias Wheel Ranch, Inc.; )  
17 Fawcett, Lawrence Edward; Fenili, Peter A; Fenili, Veronica Jean; )  
18 Fesko Family Trust; Fine, James Samuel; Fine, Jill Marie; )  
19 First Union National Bank; Fitzpatrick, Debra; Fitzpatrick, Ted; )  
20 Five (5) C's Cottonwood Ranch, LLC; Fleck, Brenda L; )  
21 Fleck, Dewey A; Fletcher, Marie L; Fletcher, Michael S; )  
22 Fletcher, Ruth; Fletcher, Teri L; Fletcher, Wesley L; Floyd, Betty; )  
23 Floyd, Frank; Flying A Ranch, a Nevada Limited Partnership; )  
24 Flying A Limited Partnership; Forrester, Pamela A; Forrester, )  
25 Wendell B; Foss, Thomas A; Four G Corporation; Fousekis, )  
26 James; Fousekis, Susana; Frade Ranch, Inc.; Franklin, Carl; )  
27 Franklin, D Camille; Fraser, Betty; Fraser Family Trust; )  
28 Fraser, George; Freitas, Barbara L; Freitas, Elizabeth; Freitas, )  
Maurice H; Frey, Kerry M; Friedhoff, George W, Jr.; )  
Friedhoff Helen; Fry, Deborah; Fry, Jill Christine; Fry, Michael; )  
Fry, Paul J III; Fulstone, David H Co.; Fulstone, F. M., Inc.; )  
Fulstone, James H; Fulstone, R. N. Co.; Fulstone, Steven A )  
1989 Trust; Funk Trust; G Lazy B Partnership; Gable, Don Ray; )  
Gansberg, Chris H, Jr.; Gansberg, Faye E; Garcia, Jeffrey M; )  
Garcia, Kealoha; Garms Estate; Garms, Gary J. )  
.& Toni J. Revocable Community Property Trust; )  
Garrett, Robert A; Gattuso, Kim I; Gerbig, Arden; Gerbig, )  
Evilo J; Gerrard, John R Trust; Gill, Joseph P; Giodo, Joseph )  
A Revocable Trust; Giorgi, Donald; Giorgi, Lynda Hunewill; )  
Giorgi, Ugo & Florence A Family Trust; Gisler, Otto A Trust; )  
Glasner, Grover F; Glass, Daniel G; Glass, Patricia J; )  
Glassburn, Ted; Glassburn Theresa; Gleason, James G; )  
Gleason, Marla D; Glock, Audrey; Glock, Ernest; Godde, )  
Forest G. Trust; Goffinet, Cheryl L; Goffinet, Lonnie K; )

1 Good Deed, LLC; Gordon Revocable Trust; Goss, Ronald W; )  
 2 Goss, Sandra A; Graham, Gene G; Graham, Margaret F; )  
 3 Granata, Helen C Estate; Gray, Mary Family Trust Agreement; )  
 4 Grayot, Margaret R; Greenfield Mobile Home Park, NV LLC; )  
 5 Greggersen, Marlene J; Greggersen, Paul A; Gregory Family )  
 6 Trust; Groso, Angelo; Groso, David; Groso, Ernest & )  
 7 Maxine Jo 2000 Family Trust; Groso, Nancy; )  
 8 Guild, Rolene Pitt Living Trust; )  
 9 Gutierrez, Teresa M; Guy, Willis H; Haas, Pamela J; )  
 10 Hall, Craig & Kris J Family Revocable Living Trust; )  
 11 Hall Family Trust Agreement; Hall, Herbert; Hall, Rachele M; )  
 12 Hammack, Raymond B; Hammack, Sonya; Hammond, Judith )  
 13 Revocable Living Trust; Hanks, Lawrence G; Hanson, Leona; )  
 14 Hardrock Mining Co.; Hardy, Karen Lund; Hargus, John and )  
 15 Blinn, Adah M. Trust; Harig, Laurie A; Harrison, Ben & )  
 16 Linda Trust; Harrison, John W; Harrison, Sandra L; Hawhee, )  
 17 Dianne P; Hawhee, William L; Hawkins, Margaret; Hawkins, )  
 18 Terry; Hawkins, Patricia L, MD; Hawthorne, Town of; )  
 19 Hawthorne Utilities; Hawthorne Water System; Hayes, Deborah A )  
 20 Hayes, Jonathan C; Hefner, Marcia E; Hefner, Tommy M; )  
 21 Heimerman, John/Leona Family Trust; Helmuth, George; )  
 22 Helmuth, Pamela ; Hemsath, Richard Scott; Henderson, Robert B;) )  
 23 Henderson, Rose M; Henker Family Trust Agreement; )  
 24 Hernandez, Audelia; Hernandez, Isidro V; Hervin, Kurt W; )  
 25 Hervin, Patricia; Hervin, Reiko; Hill, B Roxann; Hill, Jon A; )  
 26 Hilton Family Trust; Hiskett, Carl William; Hiskett, Phyllis Ann; )  
 27 Hitchcock, Cindy L; Hitchcock, Gerald; Holbrook, Constance Y; )  
 28 Holbrook, Richard H Sr.; Holbrook, Richard H & Constance Y )  
 Trust; Holbrook Station RV and Mobile Home Park; )  
 Holmes, Doris Trust; Homestretch Geothermal, LLC; )  
 Huggans, Jan K; Hume, Jayne E; Hume, Michael T; Hunewill )  
 Enterprises, LLC; Hunewill, Harvey E & Phyllis P Trust; )  
 Hunewill, Janet Bliss; Hunewill Land & Livestock Co.; )  
 Hunewill, Phyllis; Hunewill, Stanley L; Huntley, Mark A; )  
 Hutchins, Karen; Hutchins, Leland; Hutchison Family Revocable )  
 Living Trust; Huuha, Paul A; Hyne, Frances L; Hyne, Marshall; )  
 Ingerson, Larry; Ingerson, Trudy; Ireland, Mariann; Ireland, )  
 Ward W; Ithurburu, John; Ithurburu, Marilyn; Jacobus, )  
 Samantha S; Jakobson Investment Corp.; Jason Corporation; )  
 Jenkins, Joyce; Jenkins, Larry D; Jensen, Chris; Jensen, Jack E; )  
 Jensen, M O; Jesch Family Trust; Johnson, Joseph W; Jones, )  
 Casey M; Jones, Mary C; Jones Family Foundation, Inc.; )  
 Julian, Jay & Darlene Family Trust; Jurica, Mary E; K & K )  
 Water, Inc.; Kahn Family Trust of 1993; Kelley, Dr. Donald; )

1 Kennedy, Dale & Cleo Family Trust; King, James Allen; )  
 King, Judith R; Knoche, Anne Tweet; Knoche, Craig F; )  
 2 Kottke Living Trust; Kraft Family Trust; Kraft, Kevin; )  
 Kyler, LaJune F; L & M Family Limited Partnership; )  
 3 Lamoreaux, Frances Trust; Landolt, Beverly J; Landolt, Joseph G;) )  
 Landolt, Joseph G & Beverly J.Trust; Langner, Donald H; )  
 4 Langner, Lorraine; Langner Family Trust; Lantana Ranch Family )  
 5 Limited Partnership; Lapham, Joanna M; Lapham, Willis H; )  
 Lawson, Nettie E; Lawson, Ronnie D, Sr.; Lazy S Lodge; )  
 6 Lee Ivey Ranch, Inc.; Lee, James; Lee, Linda P; Lee, Thomas W; )  
 Lee, Wallace J; Lehmer, Debra S; Lehmer, Steven M; )  
 7 Leinassar, Alan S; Leinassar, Marianne; Lekumberry )  
 8 Family 2001 Trust; Leland, Anne M; Leland, Britt M; )  
 9 Lewis, Rob Edward; Ligtenberg Family Trust; Lind, )  
 Craig R; Lind, Sandra; Linscott, Marjorie M.; )  
 10 Linsenmier Jack L; Linsenmier, Wilma H; )  
 11 Little, David M Family Trust Agreement; Little, Bonnie; )  
 Little, David Jr.; Lloyd, Thomas L; Loll, Daniel T; Loll, Harry S; )  
 12 Loll, John C; Loll, Margaret M; Loll, Phillip G; Loll, Raymond C; )  
 13 Lommori Family Trust; Lommori, Joseph J and Bessie J Trust; )  
 Lommori, Julio & Delia )  
 14 Family Trust; Lommori, Karen I; Lommori, Kenny D; )  
 Lommori, Natale, Jr.; Lommori, Scott D & )  
 15 Leslie Family Trust; Ludel, Donna Lee; Ludel, Samuel Moses; )  
 16 Lund, Hans N & Marie N Trust; Lyon County School District; )  
 17 Lyon County Courthouse; Lyon County Public Works; )  
 Lyon County, Elm Tree Cemetery; Lyon, County of; Lyon County )  
 18 Fairgrounds; Lyon County Cemetery II; Mabe, James A; )  
 19 Mabe, Sandra R; MacBride, John; MacBride, Pam A; )  
 Madden Family Trust; Madden, Gerald; Madden, Lois; )  
 20 Magee, Ruth J Revocable Trust; Mahan, Mark S; Malck, John; )  
 Manha, Lorraine N; Manha, William D; Mann, Charles F; )  
 21 Mann, Luetta A; Marraccini, Darrell; Marraccini, Lisa; )  
 22 Marriott, Jack D; Marriott, Jane C; Marriott, Larry W; )  
 Marriott, Lonnie E; Marriott Nancy; Marriott, Sandra J; )  
 23 Marriott, Sandra K; Masini, Carroll G & Maria O Trust; )  
 24 Masini Investments; Masini, Lawrence B; Mason Valley )  
 Loyal Order of Moose; Masterson 2000 Trust; Mathas, John A; )  
 25 Mathas, Nancy J; Mathewson, )  
 Charles N. Trust; Mattice, Crystal Lindsey; Mattice, Duane; )  
 26 Mattice, James L; Mattice, Mary L; Mattice, Dena L; Mattice, )  
 27 John E; Mayne, Georganna P; Mayne, Larry A; )  
 28 McBee, Cheryl E; McBee, Michael P; McCargar, )  
 Doris; McCargar, Edward James, Jr.; McClain, Terry Lee; )



1 McClain, William T; McCoy, Cheryl; McCoy, Lee A Jr.; )  
 2 McNamara, Carolyn K; McNamara, )  
 3 Roger B; McWhirter, Mildred K Estate; )  
 4 Menesini, Cynthia L [Mrs. Donald]; Menesini, )  
 5 Cynthia L [Mrs. Ronald]; Menesini, Donald G; Menesini, )  
 6 Edward L; Menesini, Grace; Menesini, Kristie L; Menesini, )  
 7 Orlando; Menesini, Ronald D; Menesini, Randy Ellis; )  
 8 Menesini, Reema Marie; Merrill, Bradford C; Merrill, Lana )  
 9 Galyean; Merritt, David L; Merritt, Teresa C; Merriwether, )  
 10 Sherri A; Merriwether, William A; MICA Farms, LLC; )  
 11 Miller, Christie A; Miller, Dennis R; Miller, Edmund; )  
 12 Miller, John M; Miller, Linda; Miller, Robert J, Jr.; )  
 13 Mineral County Commissioners; Mineral County School District; )  
 14 Mineral County; Mitchell, Ginger; Mitchell, Ronald; Moline, )  
 15 David; Moline, Laura; Mono County; Montgomery, Mary Louise; )  
 16 Moore, Harold; Moore, Harold Trust; Moore, Micki J; )  
 17 Moore, Rosetta M; Moore, Steven H; Moreda, Clarence J Family )  
 18 Trust Agreement; Moreda Dairy; Morgan Family 1996 Trust; )  
 19 Morose, Dan C; Morose, Tara L; Moss, Jimmy A; Motley )  
 20 Living Trust [12/23/70]; Motley, Patricia A; Motley, Philippa; )  
 21 Motley, Robert III; Muir, Marjorie R; Muir, Thomas K; )  
 22 Munson, Dolores N; Nagel, Robert R; Nagel, Shirley J; )  
 23 Nannini, Anna Revocable Trust )  
 24 Neibauer, John J; Neibauer, Winifred A; Nesmith )  
 25 Family Trust Agreement; Neuhauser, Geneva Ruth; Neuhauser, )  
 26 Larry D; State of Nevada (Nevada Dept of Transportation; )  
 27 Nevada Div. of Wildlife); Nevada-Utah Assoc of Seventh Day )  
 28 Adventists; Nevin, Melba; Nichols, William H; Nuti Brothers; )  
 Nuti, Cynthia; Nuti, Lawrence M; Nuti, Leslie J; Nuti, Mary E; )  
 Nuti, Mary R; Nuti, Michael A; Nuti, Nancy J; Nuti, Ralph E; )  
 Nuti, Ralph C; Nuti Richard B; O'Banion, James R; )  
 O'Sullivan Plastics Corp.; Osborne, Drew A; Osborne, Genevia L; )  
 Osborne, Roy E; Oxsen Enterprises, LLC; P & V Wilkinson )  
 Family Trust; Page, Jeffrey A; Page, Marilee J; Palmer, Alfred W; )  
 Palmer, Joy L; Park, David Wallace; Park, Mary Kathleen; )  
 Park, W B & Sons, LLC; Parraguire, David Estate; Patterson, )  
 Jana L; Patterson, Robert M; Peavine Leasing, LLC; )  
 Pederson, Alenzo; Peel, Michael W; Peebles, Deann; Peebles, )  
 Frank T; Penrose G.I.D.; Peri & Peri; Peri & Sons Farms, Inc.; )  
 Peri, David J & Pamel A Family Trust Agreement; Peri, David J; )  
 Peri, James J., Jr. [Butch]; Perrin, Clarence H Testamentary Trust; )  
 Perrin Dynasty Trust; Perrin Trust; Perry, Randolph E; )  
 Perry, Victor A; Perumean, Mary Ann; Perumean, Pete Jr.; )  
 Perumean, Phillip; Peters, Glen & Darlene Living Trust; )

1 Peterson, Jeffrey; Peterson, Marion W; Peterson, Sheri; )  
 2 Pinenut Ranch Corporation; Pitchfork Ranch, Inc.; Plattner, )  
 3 Nancy Jo; Plett, Pauline; Plett, Walter; Poli, Nancy; )  
 4 Polizzi, Carmen Apodaca; Polizzi, Robert J; Poulsen, )  
 5 Gayle S [Herman]; Prouty, Wayne M & Debra Lynn Revocable )  
 6 Living Trust; Pruett Ranches, Inc.; Pumpkin Hollow Farms, Inc.; )  
 7 Purrell, James E; Purrell, Karen M; Pursel, Delbert; )  
 8 Pursel Farms; Pursel, James; Pursel, Melvin E 1998 Trust; )  
 9 Pursel, Norma; Pursel, Norman; Pursel Ranch, a Partnership; )  
 10 Pursel, Vicki; Quilici, Basil & Pauline Leveille Revocable )  
 11 Living Trust; Quilici, James D; Quilici, Kathryn A; )  
 12 Quiroga, Carlos G & Ofelia R Revocable Trust; Quiroga, )  
 13 Guadalupe V; Quiroga, Hector; Rader, Krys; Rader, Scott D; )  
 14 Raisbeck, Nancy L; Raisbeck, Peter D; Rasmussen, Kathleen; )  
 15 Rasmussen, Steven; Reams, Christopher; Reams, Denise; )  
 16 Regan, Ruby C Trust; Reich, Diana; Reich, Martin; )  
 17 Renegade Corporation; Renner, Thomas R; Renner, Tosca M; )  
 18 Reviglio, Thomas; Rhea, Dale; Richardson, Elizabeth; )  
 19 Richardson, James; Rife, Deborah K; Rife, Jeffrey J; Rinasz, )  
 20 Myron M; Ritter Family Trust; Ritter, John Gustave, III; )  
 21 Roach, Heidi D. and Roy B. 2002 Trust; Roach, Ruby; )  
 22 Roberts, Larry W; Roberts, Mary A; Robertson, Elmer C; )  
 23 Robertson, Geneva K; Robinson, Helen; Roderick, Douglas )  
 24 Ray & S Joann Living Trust; Roderick, Douglas Ray; )  
 25 Roderick, S Joann; Rogers, Carole J; Rogers, Jeffrey A; )  
 26 Rogers, Ralph S; Rogers, Sharon M; Rolston, Kenneth J; )  
 27 Rolston, Linda; Romero Family Trust; Roots, David H; )  
 28 Roots, Kathleen A; Rosaschi, Andrew Gene; Rosaschi, Angelo J; )  
 Rosaschi, Lester & Connie Family Trust Agreement; )  
 Rosaschi, Romeo Jr., Inc.; Rosaschi, Stanley Thomas Estate; )  
 Rosse, Debra D; Rosse, Jerry R; Rowe, Lillian Baker; )  
 Rowe, Thomas M; Rubert, Lotus R ; Rubert, Peggy J; )  
 Rudd, Marie J; Runnerstrom, Rheta M; Runnerstrom, Warren G; )  
 Rupe Family Trust Agreement; Rye, Cherie C; Rye, Stephen B; )  
 Sandoval Albert R; Sandoval, Cecelia L; Sans, Paul P; )  
 Sans, Sandra Jo; Santos, Christena M; Santos, Paul J; )  
 Sario Livestock; Savage, Keith A; Savage, Virginia; Sayce, )  
 Michael R & Shannon L; Scatena, Louis V; Sceirine, Beverley; )  
 Sceirine, David A; Sceirine Fredericks Ranch; Sceirine, Herbert; )  
 Sceirine, Herbert L & Susan L Revocable Trust; Sceirine, )  
 Joseph E; Sceirine, Susan L; Schendel, Madge E; Schendel, )  
 Robert J; Schirmeister Lisa A; Schram, Madeline; Schrock, )  
 H. Jean Survivors Trust; Schurz Elementary; Schuster, Donna R )  
 Family Trust; Sciarani, Arnold Jr. & Pauline Trust Agreement; )



1 Sciarani, Donna; Sciarani, Eugo Trust Agreement; Sciarani )  
 Family Trust; Sciarani, James; Sciarani, John Trust Agreement; )  
 2 Sciarani, John; Sciarani, Linda Ann; Sciarani, Paul; Sciotto, )  
 Arthur P; Sciotto, Cortland O; Sciotto, Frank T; Scribner, Cynthia; )  
 3 Scribner, Vance C; Seibold, Belinda A; Seifert, Judy A; )  
 Seifert, Stanley D; Sepulveda, Mariana; Settelmeier Ranches, Inc.; )  
 4 Seubert Family Limited Partnership; Sharkey, Mike & )  
 Carol Family Trust; Sheerin, Christopher; Sheerin, Keri A; )  
 5 Shehady, Daniel P; Shehady, Donald & Teresa Trust; Sherlock, )  
 6 Michael C; Shively, E Duane & Russelle B 1991 Revocable Trust; )  
 Shoemaker, Janice; Shoemaker, Janice K Trust Agreement; )  
 7 Sierra Pacific Power Company; Silva, Edward B; Silva, Gary Sr.; )  
 Silverado, Inc.; Simmons, Leia H; Simmons, Patricia; )  
 8 Simmons, Stanley C; Simpson, Allan R; Six N Ranch, Inc.; )  
 Sjolín, Eunice; Skinner, Albert Carlos LLC; Smith Ann M; )  
 10 Smith, Daniel G; Smith, Diana Lee; Smith, Ermon Wilson & )  
 Mary Lee Family Trust; Smith, Eva L; Smith, Gaila M; )  
 11 Smith, Grant B; Smith, Harry E; Smith, Indra; Smith Living )  
 Trust; Smith, Mark A & Irene B Family Trust; Smith, Michael A; )  
 12 Smith, Patricia Ann; Smith Ranch Partnership; Smith, Shawna S; )  
 Smith Valley Cattle Feeders; Smith Valley Baptist Church; )  
 14 Smith Valley Park & Recreation Board; Smith, Wesley & )  
 Beverly Trust; Smith, Angela M; Smith, Diane L; Smith, Scott M; )  
 15 Snook, Jean T; Snyder, Eddie R & Theresa Trust; Snyder, Frances; )  
 16 Snyder Livestock Co., Inc.; Snyder, Lucy A; Soderstrom, Dave Jr.; )  
 Soderstrom, Joan; Soilfume, Inc.; Sommer, Betty J; Sommer, )  
 17 Leo H; Souza, Julie M; Spence 1990 Family Trust; Spinuzzi, )  
 18 Peter J Jr.; Spinuzzi, Theresa D; Spradlin, Everett J; )  
 Spradlin, N Jeannie; Sprague, Leland; Stacey, Kristine A; )  
 19 Stacey, Roc A; Stanley, John D; Stanley, Marlyse R; )  
 Stanton, Christy DeLong; Stanton, Kirk Andrew; Stark, Glenn M; )  
 20 Stauffer, Keith H; Stauffer, Patricia L; Steele, Charles R; )  
 21 Steele, Karen R; Steven & Susan Bohner )  
 Family Trust; Stevens, Judie A; Stevens, Michael D; )  
 22 Stevenson, Daniel R; Stevenson, Sharon; Stewart, Eileen F; )  
 23 Stewart, Kim & Kathleen Family Trust Agreement; Stillfield, )  
 Donna J; Stitt, John & Julia Living Trust; Stockton, Edward; )  
 24 Stockton, Linda A; Stoneburner, Viola; Stout, Jack F; )  
 25 Stout, Nancy; Stovall, Judith Lee; Strong, Charles; Strosnider )  
 Family Trust; Strosnider, Inc.; Strudwick Living Trust; )  
 26 Sturge Family 2001 Trust; Sturtevant, Helen M; Sullivan, )  
 27 Kevin Patrick; Sundance Feedlot; Sunrise Ranch, LLC; )  
 Sutter Ranch Corporation; Swainston, George W; Swainston, )  
 28 Harry W; Swainston, John W; Swenson, Michelle T; )

1 Swenson, Timothy D'; Taliaferro, Daniel R; Taliaferro, Jill K; )  
 2 Tamagni Janice E; Tamagni, Raymond E Family Trusts; )  
 3 Taylor, Dola F; Taylor, Lloyd T; Tazaki, Musaschi Taka; )  
 4 Terry, Denise L; Terry, Sean C; Terschluse Family Trust; )  
 5 Thacher, Caroline H; Thacher, John H; Tholke, Rachel Smith )  
 6 Trust; Thom, Douglas; Thom, May; Thomas, Ami; Thomas, )  
 7 Katherine L; Thomas, Terry A; Thomas, Tracy Glaze; )  
 8 Thompson Family Trust; Tibbals, Carol Joyce; Tibbals, Don H; )  
 9 Tibbals Family Trust Agreement; Tibbals, Joseph William; )  
 10 Tijsseling, Dick G; Tijsseling, Judith A; Tilley, Jerry E Trust; )  
 11 Tiscareno, Anne M; Tiscareno, Carlos J; Titus, Robin L; )  
 12 Tomac, Laura; Tomac, Steven; Topaz Lake Water, Inc.; )  
 13 Topaz Lodge, Inc.; Treasure, Malcolm; Treasure, Michelle R; )  
 14 Turf Company, LLC; Turner, Dolores V; Turner, Howard D; )  
 15 Turner, Joan C; Turner, Ross D; Turria, Linda R Trust Agreement; )  
 16 Turria, Linda; Turria, Randy; Twelves Family Partnership, LLC; )  
 17 Twin Properties, LLC; United States Forest Service; )  
 18 Vandebrake, Debra A; Vandebrake )  
 19 Jerry L; Vaughan, Julie M; Vaughan, Richard D; Vawter )  
 20 Tierney Living Trust; Veil, Kelly A; Veil, Timothy C; )  
 21 Verdugo, Juan; Verdugo, Maria; VGR Limited Partnership; )  
 22 Vick, David W; Vick, Shelly; Villa, )  
 23 Alan N; Villa, Shirley J; Virdin, Virginia Sue; Virdin, William )  
 24 Michael; Vogel, Bruce G; Vogel Family Trust; Vorhies, )  
 25 Victoria E; Vorhies, William L Jr.; W and L Trust; Walker, )  
 26 Walker Lake Water District; )  
 27 Walker Lake Working Group, Inc.; Walker Lake Apartments; )  
 28 Walker River Land Corporation; Walker River Ranch Limited )  
 Partnership; Walker River Irrigation District; Walsh, Janine Y; )  
 Walsh, Stephen L; Warburton Family Trust; Ward, Lauren; )  
 Ward, Mary Margaret; Warr, David T; Warr, John; )  
 Wass Investments, A Nevada Limited Partnership; Wasser, Debi I; )  
 Wasser, Robert E, Jr.; Weaver Properties, LLC; Weaver, John R )  
 & Lura K Family Trust; Weed Heights Development; Weiser )  
 Living Trust; Wells Fargo Home Mortgage, Inc.; West, Regina )  
 Rae; Wheat, Robin; Wheeler, Earnest C; White, Douglas M; )  
 White, Julie Ann; Whitney, John W; Whittier Trust Co., )  
 TTEE for George L'Abbe; Wiegand Resources, Inc.; )  
 Wiggins, Alice S; Wilder, Joan; Wilens Family Trust; )  
 Wilkinson, Philip; Wilkinson, Vivien; Williams, John Leonard; )  
 Williams, Joni Fay; Williams, Phillip A; Williford, Michael C; )  
 Williford, Virginia M; Willis, Marlene D; Willis, Randall D; )  
 Willowcreek G.I.D.; Wipfli, Candyce; Wipfli, Tom; )  
 Wright Living Trust; Wright, Mary M; Wright, Sandra L; )

1 Wright, Weston L; Yeager, Eloise; Yeager, F Kirk; )  
 2 Yerington Associates; Yerington Church of Christ; )  
 3 Yerington, City of; Yerington Public Utilities; )  
 4 Yerington Water Co.; Zieman, Gene G; )  
 5 Zlendick, Don R; Zlendick, Gayle K; Zwart, John J; )  
 6 Zwart, Veronica L; )  
 7 )  
 8 Abilla, Vicki Lynn; Acme Leasing, LLC; Airoso, Joseph M, Sr.; )  
 9 Ammons, James T.; Anderson, )  
 10 Royce W. Family Trust; Artesani Family Trust; Ayres, Harriet E.; )  
 11 Bartels, Gladys; Bartels, William J., Sr.; Bawden, J. F.; Bemis, )  
 12 Jack L; Bergstrom, Cynthia K.; Bergstrom, Raymond D.; )  
 13 Berry, Matthew P.; Berry, Yvette R.; Borealis Mining Company; )  
 14 Brandstetter Family Trust w/d/t 10-20-2004; Brueggemann, Bruce; )  
 15 Brueggemann, Sherilyn E.; Bryan, Nikki A.; Bryan, Richard H.; )  
 16 Butler, Gary R.; Butler, Theresa A.; Chidwick, Norma Jean Trust; )  
 17 Chilton, Michael J.; Clemerts Family Trust; )  
 18 Cochran, Donald R.; Cochran, Susan J.; )  
 19 Cook, Gilbert E.; Cook, Linda L.; Copper Hills Bible Church, )  
 20 Inc.; Cotè, Carol R.; Cotè, Louis J.; Crist, Arlien R.; Crist, )  
 21 Charles J.; Davenport, John H.; Davenport, Susan (Ammons); )  
 22 Day, Julie; Day, Kelli A; Day, Robert H., Jr.; Debrick, Verna N.; )  
 23 Dinsmore Family Trust; Draper, Steven M.; Dunham, Arliss D.; )  
 24 Dunham, Eileen A.; Easterby, Carmaletta; Easterby, David D.; )  
 25 Eierman, Conrad R.; Faiferek, Lee Ann; Faiferek, Roland; )  
 26 Faretto, Michael 1996 Family Trust; Fielding, Shirley A.; )  
 27 Fietta, Patricia; Fulstone, Ed; Fulstone, Fred, Jr.; Gagne, John L.; )  
 28 Gagne, Monica V.; Garms, Gary; Garms, Toni; Garmsland )  
 Limited; Giacomini, Carole A.; Giacomini, Joseph T.; Giorgi, )  
 Ugo, Jr.; GR8DEAL, LLC; Gregoris, Michel; Gregoris, Yvette P.; )  
 Guild, Clark J., III; Guild, Catherine L.; Gussenhoven, Joyce L.; )  
 Hanson, Gary & Beverly Trust; Harris, Mark Alan; )  
 Harris, Valeria; Haskins, )  
 Carrol Richard & Alice June Joint Living Trust; Hawkins, )  
 Patricia L., MD; Hayden, Leland D.; Helm, Connie Parkinson-; )  
 Helm, Daniel B.; Hern, Carla Sue; Hern, Michael J; Herner, )  
 Elizabeth A.; Herner, James P.; Hunewill, )  
 Frank E.; Hunewill, Randi Jo; Huntsberger, Linda M.; )  
 Huntsberger, Richard C.; Jackson, Robert E.; Johns, Debra L.; )  
 Johns, Michael P.; Johnson, Richard D.; Johnson, Sharlene M.; )  
 Johnston, Carol A.; Johnston, John; Jones, Arthur L., Jr.; )  
 Jones, Barbara A. and Arthur L., Sr. Trust; Jones, Debra L.; )  
 Keegan, James; Kelly, Quirt; Kirk, Donna B.; LaFleur, Debra C.; )  
 LaFleur, Gary P.; Lemaitre, George E.; Lemos, C. JoEllen; )

1 Lemos, Danny; Lemos, Milton J.; Lindberg, Donald H., Sr.; )  
 2 Lindberg, Janice M.; Lockwood, Melvin L.; Lockwood, )  
 3 Sylvia M.; Lombard, Michael; Lombard, Shelley; )  
 4 MacKenzie, Lee Ann; Maddock, Douglas W.; Maddock, )  
 5 Stacey L.; Martin, Cheryl Lynne Revocable Living Trust; )  
 6 Masini, Lawrence C. Ranch; Mathis, Joe Robinson and )  
 7 Eleanor Margherite Trust; McCormick, Hilda T.; McCormick, )  
 8 Robert J.; McMinn Family Trust; Megenity, Patricia Sue; )  
 9 Melton, Mattie J.; )  
 10 Miller, Mary Ann; Morehouse, Linda; )  
 11 Morehouse, Wayne; Muniain, Mary K.; Muniain, Raymond O.; )  
 12 Myers, Francine; Myers, Travis; Nevada Onion, Inc.; Noles )  
 13 Trust dated 11/08/89; O'Banion, Todd J.; Oxsen, Nancy; )  
 14 Oxsen, Peter; Pellegrini, Debra I.; Pellegrini, Steven W.; Perrin, )  
 15 Frances L.; Peters, Darlene F.; Peters, Glen A.; Petersen, )  
 16 Martin W.; Petersen, Norma D.; Price, Charles R.; Proud, )  
 17 Andrew S.; Proud, Wendy E.; RGGGS Land & Minerals, Ltd., LP; )  
 18 Ragan, Leslie A.; Ragan, Steven H.; Ralston, Richard M., Jr.; )  
 19 Rauber, William S. & Inlow, Patricia A. Trust; Renner, Donald W.; )  
 20 Renner, LaShele M.; Rightway Investments Smith Valley, LLC; )  
 21 Rink, Ruth E. 2002 Trust; Ritter, John G., Jr.; Ritter, Lucille C.; )  
 22 Roark, Gladys R.; Michael G. & Paula L. Rosaschi Trust; )  
 23 Ruf, Kyle A.; Ruf, Ross C. )  
 24 )  
 25 Allen, Judy B; Allen, Roger; Ambrosia, Elaine L; Antonelli, )  
 26 Adriane J; Antonelli, Robert E; Aquila, Anthony; Aquila, Shelly; )  
 27 Aquila, Teresa; Ashdown, Darlene M; Awbrey, Connie M; )  
 28 Awbrey, James M; Babcock, Geraldine; Babcock, Richard E; )  
 Bales, Nona K; Bales, Richard B; Baptist, Joseph M; Baptist. )  
 Wendy R; Bartels, Kimberly A; Bartels, Rick S; Batting, )  
 Jennifer Lee; Beronio Family 1995 Trust; Berryhill, Nita M; )  
 Bertolin, Bruce H; Bertolin, Judith N; Bloise, George Nickolas; )  
 Boyd, Betsy J; Boyd, John L; Boydston, Kimberlee L; Boydston, )  
 Monte F; Bradley, Kay M; Brewer, Robert & Doris Trust; )  
 Brewer, Robert C; Brewer, Sandra L; Brondel, Karen D; )  
 Brondel, Kathy L; Brown Joint Living Trust; Brown, )  
 Kristine L; Brown, Oswald A; Brown, Sandra; Buchanan, Betty; )  
 Buell, Betty Sue Trust Agreement; Buell, Frank M Trust )  
 Agreement; Buettner, Madeline K; Buettner, Wilhelm F; )  
 Buford, Rick A; Buford, Vel; Bukoskey, John J; Bukoskey, )  
 Linda S; Bull Family Trust; Burr, Dianne Borsini Trust; Cairns, )  
 Richard J; Capurro, Cindy; Capurro, Michael L; Cartwright, )  
 Joan E; Cartwright, Roxanne Jones; Cartwright, Tommy W; )  
 Chambers, Robert M; Cirone, Allen W; Cirone, Amanda J; )

1 Clay, Susan A; Converse, Cris; Cook 1994 Revocable Living )  
 Trust; )  
 2 Cooper, Kevin D; Cornish, Diane L; Crabtree, Antoinette Damon; )  
 Crabtree, Philip W; Criqui, Peter C; Daugherty, Michael; )  
 3 Daugherty, Susan C; Davis, Carol A; DeVold, Zoe A; Dobosh, )  
 Betty M; Dobosh, Michael D, Sr.; Ellington-Peycerl, Andrea; )  
 4 Elliott, )  
 5 Patricia A; Elliott, Robert L; Elmer, Margaret D; Elmer, )  
 Richard G; Emery, Steven M; Emery, Terri L; Fabian, Norman R; )  
 6 Fell, Bud S; Flood, )  
 7 Michael P; Foley, Peggy; Foley, Richard; Foley Trust dated )  
 04/05/04; Garcia, Carmen; )  
 8 Garcia, Rogelio M; George, Betti June; George, Carl S, Sr.; )  
 9 Giannotta, Lori Linn; Giannotta, Robert Paul; Gideon, Jerry, )  
 Gideon, Laverne; Gilmore, Debra A; Gilmore, Patrick A; )  
 10 Giomi, Joseph E Family Trust; Giraud, Louis J; Giraud, Marie )  
 11 Goodwill, Becky; Goodwill, Richard K; Gordon, Kathleen J; )  
 Gordon, Robert B; Greene, Vincent N; Gregoris, Gerard; )  
 12 Gregoris, Lorraine; Gregory, Eric C; Griffin, Floyd W; Griffin, )  
 13 Heidi A Hess; Griffin, Martha Ann; Grosvenor, Elaine L; )  
 Gullett, Eva C; Gutierrez, Maria J; Gutierrez, Patrick; Haeckel, )  
 14 Carolyn A; Haeckel, Michael B; Hall, David Allen; Hart, )  
 Dublin J; Hartley, Shirley A )  
 15 Hatala, Albert F; Hatala, Mary Sue; Herman, David L; Herman, )  
 16 Fair M; Herrand, David; Herrand, Diane M; Hill, Carl E; )  
 Hill, Michael L; Holloway, Ted J; )  
 17 Homan, Kristina Fay; Hoover, David R; Hoover, Tammy L; )  
 18 Horner Personal Residence Irrevocable Trust Agreement; )  
 Horstmanshoff, Bruce; Howry, Michael; Hronesh, Mark E; )  
 19 Hughes Family Trust UDT 9-7-95; Ichord, Richard A; Ichord, )  
 20 Shirley M; Jaquay, Michelle K; Johnson, Edward D; Johnson, )  
 LaCinda E; Johnson, Michael L; Johnson, William Lay-Faytte )  
 21 and Joan T Johnson Family Trust; Johnston, Hal B; Johnston, )  
 22 Michael W; Johnston, Rosann M; Jones Family Trust; )  
 Jones, Charles Russell & Linda C Trust; Jones, Colleen M; )  
 23 Jones, Martha J; Jones, Michael L; Jones, Paul F; Jones, )  
 24 Willie A Trust; Joplin, Betty; Joy, Donald; Joy, Lori; Jurey, )  
 Clyde W and Sandra D Trust; Kalata, Loretta J; Kalata, )  
 25 Theodore E; Kaltenbach, Lawrence J; Kaltenbach, Viola; )  
 26 Kay, Carlene D; Kay, Frank E; Kay, Leroy C; Kay, Paul G; )  
 Kelley, Francis A; Kelley, Geraldine S Trust; Kelley, Rita J; )  
 27 Kienbaum, Martha C; Kilgore, James B; Kilgore, Violet D; )  
 28 King, Robert F, Jr.; Kinsey, Peggy Leigh; Kirk, Jerri Mae; )  
 Kleve, Jerome H; Kleve, Verna Lee; )



1 Klose, Lyle E; Knight, Madeliene M; )  
 2 Knisley, Richard D; Knisley, Rosanna M; Knox, Logan & )  
 3 Madge Trust; Knudson, James A; Kostenbader, Steven G; )  
 4 Kotler, Gary I & Cathryn A Trust; Kraft, Ricardo M Trust; )  
 5 Kraus, Arthur; Kraus, June; )  
 6 Krejci, Bill F; Kretschmer, Constance M; Kretschmer, Edward L; )  
 7 Kropelnicki, Alexander; Kropelnicki, Marlene R; Kuzia, Joanna; )  
 8 Kuzia, Leslaw; Kuznicki, Constantine T; Kuznicki, Nicolee; )  
 9 Kuznicki, Russell; Labelle, Edith M; Labelle, Gary L; Lacey, )  
 10 Jonathan A; Lague, Catherine R; )  
 11 Lake, Elaine L; Lamb, Grace R; Lamb, Robert W; Lambert, )  
 12 James C; Lambert, Patricia M; Lamkin, Helen; Lance, Lita Jean; )  
 13 Lance, Mattie; Lance, Richard Dean; Landers, Jim G; Lang, )  
 14 Charles M; Lang, Debra S.; Langford, John R; Lantto, )  
 15 Ernest R; Lanzino, Andrew E; Lanzino, Lisa A; Lasater, James )  
 16 M & Betty L Trust; Lawrence, Danny L; Lawrence, Diane L; )  
 17 Ledsinger, Michael D; Lee, Jerry W; Lee, Robert E; Leffler, )  
 18 Glen A; Leffler, Nadine V; Lemos, Frankie L; Lemos, Guy F; )  
 19 Lemos, Jodi L; Lemos, Rodney J; Lerg, Deborah Mae; Lerg, )  
 20 Roy D; Lerg, Roy D & Deborah Mae Trust; Levay, James; )  
 21 Leveille, Helen; Leveille, William E; Lewis, Arena F; )  
 22 Lewis, Cameron J; Lewis-Ellis, Katherine L; )  
 23 Lindsey, Claude O; Locklear, Arnold J )  
 24 & Lysi V Family Trust; Loori, Catherine; Lopez, Baudelio; )  
 25 Lopez, Fredrick; Lopez, Maria S; Loveberg, Robert G; )  
 26 Luers, Dale E; Luers, Devon S; Lumbard, Robert A; Luning, )  
 27 Eugene T; Luning, Michelle S; Lunsford Family Trust; Lyman, )  
 28 Stanley and Bonnie Revocable Trust; Lynch, Charlene F; Lynch, )  
 Daniel B; Lyons, Della M; Lyons, Rolland R; Madera-Ramirez, )  
 Otoniel; Madrid, Joseph I; Madrid, Maria E; Madsen, Russell G )  
 Trust; Mainarick, Richard M; Mainarick, Susan L; Maldonado, )  
 Efren E; Maldonado, Sylvia; Mamolen, Ellen M; Mamolen, )  
 Samuel F; Mandeville, Margaret; Mandeville, Walter F; )  
 Manus, Dwayne T; Marshall, Carrie A; Marshall, Theran L; )  
 Mason, Jon E; Mason, Norene E; Massin, Michael R; Massin, )  
 Nancy L; Mata, Nereo C; Mata, Onecimo; )  
 Matlean, Barbara C; Matlean, Milton; Mattice, Gayle; )  
 Mattice, Lewis W; May, Georgia A; Mayne, Gary F; Mayne, )  
 Kathy L; McAviney, Christopher A; McAviney, John N, Jr.; )  
 McCandless, Robert R and Frances L Family Trust; McClellan, )  
 Frank; McDermott, Shirley J 2000 Trust; McGuire, Bettie M; )  
 McGuire, Melanie; McGuire, Michael S; McKay, Gary G; )  
 McKay, Lewis & Judith Family Trust; McLaughlin, Doris; )  
 McMinn, Barbara Ruth; McMurray, Barbara A; McMurray, )

1 Norman H; Medaris, Joan M; Medaris, Leland H; Meerly, )  
 2 Richard O; Mendoza, Jorge Negrete; Menesini, Joseph, Jr.; )  
 3 Menesini, Wanda M; Merrithew, Monty C; Mestressat, Cynthia; )  
 4 Mestressat, George J; Meyer, Lucinda A; Michelsen, Carole A; )  
 5 Michelsen, Ronald J; Micheo, Louis R; Midyett, Patti A; )  
 6 Mikonis Family Trust; Milam, Bruce; Milam, Sylvia; Miller, )  
 7 Caroline S; Miller, Kris C; Miller, Owen; )  
 8 Miser Family Trust; Moffitt, Lance; Moffitt, Marcia; Mollart, )  
 9 Cathy S; Mollart, George W, III; Mominee, Bernard; Mominee, )  
 10 Diana; Monahan, Daniel J; Monahan, Eleanor L; Monahan, )  
 11 Wayne R; Montanaro, Edward C; Montanaro, Mary M; )  
 12 Montero, John R; Montero, Sharon A; Montes, Benito; Montes, )  
 13 Felicittas; Montes, Maria B; Montes, Oscar Ramos; Montes, )  
 14 Senorino; Montes, Taurino R; Moody, John W; Moody, )  
 15 Kristine R; Moore, Diana B; Moore, Jeffrey H; Moore, Mark A; )  
 16 Moore, Robbin Rose; Moore, Ronald W; Moore, Sandra H; )  
 17 Moore, Vickie L; Moreda, Edward J; Moreda, Gretta E; Moreda, )  
 18 Janet M; Mottin, Jimmy R; Mottin, Nelda R; Mouchou, Barbara )  
 19 A Trust; Mouchou, John D; Mousseau, Janet; Muniain Family )  
 20 Trust; Murphy, Donna P; Nagy, Linda L; Nagy, Michael E; )  
 21 Nakamua, Janet E. Thompson; Newman, Jon M; Nigos, Cynthia; )  
 22 Nish, Jesse; O'Connor, John E 1996 Separate Property Trust; )  
 23 O'Connor, Marlene A 1996 Separate Property Trust; )  
 24 Olson, Gerald F; )  
 25 Olson, Rochelle; Pedersen, Dan H; Pedersen, Karen P; )  
 26 Penaloza, Oralia; Perry, Darla Clarke; Perry, Gayle A; Perry, )  
 27 Janet C; Perry, L James; Petersen, Rosemary E; Pierman, )  
 28 Lenda Lou; Pinion Mountain Trust; Pipkin, Jimmy D; Pipkin, )  
 Rose M; Poseley, John Trust; Postal, Clark N; Prouty, )  
 Wayne M, Jr.; Pugh, Gordon; Rauber, Julie M; Rauber, )  
 Spencer N, Jr.; Raymond, Alice A; Raymond, Gary K; )  
 Reed, Barbara J; Reed, Sandra M; Reese, Lynda C; Rienstra, )  
 Ardenna K; Rienstra, Paul E; Roberts, Christina A; Roberts, )  
 William P; Robinson, George F; Robinson, Kimberly J; )  
 Robison, Howard R; Rodriguez-Madera, Maria Raquel; )  
 Rogaczewski, David; Rogaczewski, Heather Sue; Rogers, )  
 Sherrie D; Roseberry, Connie Jo; Roseberry, Kevin D; Ruble, )  
 James H; Ruble, Pauline H; Sallaberry, JoAnn; Schendel Family )  
 Living Trust; Schmidt, Eddie Mae; Schultz, Steven D; Schultz, )  
 Theresa C; Scal, Lois A; Sebal, Frederick C; Sebal, Leona L; )  
 Seitz, Pamela G Sterling; Seitz, Paul R; Seldomridge, Jeffry S; )  
 Silva, Jeanne E; Silva, William J; Simmons, Larry A; Simmons, )  
 Richelene; Simons, Donn; Simons, Jeanne; Singleton, Michael R; )  
 Sipes, Alden Henry; Sipes, Nancy Jean; Slater, Dennis R; )

1 Slater, Kimberly Ann; Slippey, Twyla; Smith, Barbara L; Smith, )  
 Thomas H; Spencer, Michele; )  
 2 Stanton, Thomas J; Stevens, Bryan T; Stevens, Pamela M; )  
 Stewart, Robert L; Stewart, Terrie L; Stoddard, Cheryl A; )  
 3 Sullivan, Alice J; Survera, Bertrand J; )  
 Survera, Lois C; Taylor, Adrian G; Taylor, Maria D; Tennant, )  
 4 Mary Catherine; Tennant, Michael; Thiess, Dale A; Thiess, )  
 Sharon F; Thomas, Fannie M; Thomasson, Phillip W; )  
 5 Tornosello, Michael J; Towery, Cary E; Towery, Cheryl A; )  
 6 Tucker, Dona C; Tucker, Phillip E; )  
 Van Winkle, Raymond, Sr.; Verdugo, Eva; )  
 Verdugo, Jose; Walker, Summer N; Walker, Travis L; Wallin, )  
 8 Diana R; Warren, Robert James; Weaver, Yvette; Weeks, )  
 9 Arlene Joy; Weeks, Mike L; Westerman, Paula S; Westerman, )  
 Theodore N, Jr.; Whitesides, Joella J; Whitesides, Todd K; )  
 10 Wilder, John J; Wilder, Lin C; Wilders, Maudy E; Wilders, )  
 Robert; Willingham, Ada L; Willingham, Lawrence O; )  
 11 Wirthwein Family Trust; Zahradnik, )  
 Catherine M; Zahradnik, David V; Zarazua-Mata, Abel; )  
 12 Zarazua-Mata, Rafaela; Zarazua-Montes, Liboria; Zippwald, )  
 13 Darlene S; Zippwald, Jack C. )  
 14 )  
 15 "A" Enterprise; Baltrusch, Sabrina; Bell, Carl D.; Beronio )  
 Family 1995 Trust; Brown Joint Living Trust; Cates, Tonia D. )  
 16 Cook 1994 Revocable Living Trust; Farrar Family Trust; )  
 14 Sara Circle Land Trust; Giraud, Louis J; Giraud, Marie; )  
 17 Rex A. & Sandra J. Hartwick Family Trust; Hayes, Edward P. )  
 18 Klose, Carrie; Kreamer, Cheryl L.; Kreamer, James P.; )  
 Lackore Revocable Family Trust; Leiter, Linda Kathleen; )  
 19 Mathews, Myrtle Alberta Family Trust; Miller, Vernon L. and )  
 20 Caroline S. Family Trust; Mouchou, Renee; Nakamura, Janet )  
 E. Thompson; Sanchez, Doris S.; Sanchez, Samuel Julian; )  
 21 Valladao Trust; Verna, Nancy A; Verna, Steven E.; )  
 22 Williams, Murl E., Jr. )  
 23 )  
 24 Abrott, John E; Abrott, Maralyn; Acciari, Catherine M; )  
 Acciari, Joseph R; Acosta, Carole F; Acosta, Rudolph E; )  
 Adams, Hazen R; Adams, Mary A; Adams, Melody A; )  
 25 Adrian Family Trust; Aiazzi, Denise N; Aiazzi, Pete A. and )  
 26 Estelle M. Trust; Aiazzi, Stephen E; Aiken, Susan Sedgwick; )  
 Algeo Family Revocable Trust; Altman, Carol E; Altman, Mary I; )  
 27 Alvarez Family Revocable Living Trust; Andersen, F Elaine; )  
 Andersen, Morris Jr.; Anderson, Arnold L; Anderson, Darrell E; )  
 28 Andrews, Horton R Trust; Angeles, Ernie A; Arentz, Sam S, III; )



1 Arentz, Trudie C; Armstrong, David E; Armstrong, Marge A; )  
2 Atchison, Dennis W; Atwood, John G, Jr.; Ausmus, John A; )  
3 Balbini, Arthur Ronald Trust; Baran, James J; Baran, Susan M; )  
4 Barcellos, Vicki L; Barr, Sharron; Bartels, Marvin E; Bartlett, )  
5 Darlene; Bartlett, Donald L; Bauhofer, William L; Baumgartner, )  
6 Beverly; Baumgartner, John G; Beal, Donna J; Beal, Linda; )  
7 Beal, Steven; Bean, Kenneth R. and Ethel R. Bean Family Trust; )  
8 Beaton, Christopher S; Beaton, Darci L. Mundello-; Bell, Brian )  
9 William; Bentley, Don and Patty S. Bentley Family Trust; )  
10 Bergin, Leo P, III; Bernard, Adrian L; Bernard, Donald J; )  
11 Berrington Custom Hay Hauling, Stacking and Transportation, Inc; )  
12 Berrington, Jean M; Berry, Alta E; Berry, Barbara L; Berry, )  
13 Robert J; Berry, Stephen F; Bertrand, Linville F; Berumen, Juan )  
14 Luis Reyes; Bettencourt, Jessica M; Bettencourt, Lawrence; )  
15 Bettencourt, Mary J; Bezayiff, Julia; Bezayiff, Roger; Biggs, )  
16 Edward W; Biggs, Robin A; Bilbao, David A; Bilbao, Patricia E; )  
17 Bingeman, Gene Family Trust; Birk, Ronald G; Blackburn, Dale )  
18 G; Blackburn, Eve L; Blanks, Gerald D; Blanks, Sharon E; )  
19 Bohler, Steven A; Boileau, Gerial; Bonnet, Laurie A; Bonnet, )  
20 Mason L; Boucher, Christine; Boucher, Michael D; Bradley, )  
21 Darrell D; Bradley, Jeni; Bray, William J, Sr.; Brownell, )  
22 Camella M; Brownell, Dean G; Bruhn, Eugene L; Bruhn, )  
23 Nickels Lewis; Bryan, Gordon D; Bryan, Helen M; Chappell, )  
24 Dana; Clark, Bruce A; Cline, Carolyn K. Zieszler-; Cline, Jack R; )  
25 Crawford, Larry D; Crowley, Jon D; Crowley, Teresa G; Crumé, )  
26 Gail Herrera; Crumé, Henry Haskell; Davis, Gregory A; Davis, )  
27 Terri L; DeChambeau, Jack; DeChambeau, Susan J; Delucca )  
28 2004 Rev. Trust; Dickey, Cinda; Dickmann, David C; )  
Dickmann, Greg E; Dockum, Cheryl F; Dockum, Don M; )  
Dressler, Estate of Milton N, Sr.; Dunn, Leo Patrick 2004 Trust; )  
Echard, Deborah Lynn; Echard, James Edward; Eller, Colby D; )  
Eller, Julia C; Espitia, Margarita; Eversult, Robert A; Eversult, )  
Shirley A; Far West Construction; Flores, Angel Espitia; )  
Fowler, Penelope; Fowler, Terry G; Fuller, Robert B; Fuller, )  
Vera N; Fullerton, Carolyn J; Fulstone, R N Inc. Ranches; )  
Gardner, Ken & Dorothy Trust; Garman, William W; )  
Garrison, Annett; Garrison, Donald L; Golden Honey )  
Bear Trust; Gourley, John R; Gourley, Patricia Lynn; )  
Greenberg, Barbara Carol; Greenberg, Raymond John; Grooms )  
Family Trust; Hagen, Cheryl S; Hagen, Mike; Haight, Sonnie L; )  
Haight, Theodore David; Hakin, Carl E; Hakin, Joyce Lynn; )  
Hall, James B; Halstead, Judy; Ham, Dana C; Ham, Franklin C; )  
Hamlett, Robert A, II; Hana, Bob E; Hana, Carmela R; )  
Hansston, Anna J. Family Trust; Hanusiak, Greg; Hardesty, )

1 Gary W; Hardesty, Karen K; Hardison, James L; Hardison, )  
 2 Marlene; Harker Family Trust; Harper, George R; Harper, )  
 3 Patricia C; Harrell, Dennis E; Harrell, Joy; Harrington, Jean M; )  
 4 Harrington, Roger A; Hawkins, Michael James; Hefner, Marcia E; )  
 5 Hefner, Tommy M; Hicks Family Trust; Hipple Family Trust; )  
 6 Hodges, Carol Lee; Hodges, Donald Lee; Hughes, Kathleen; )  
 7 Hughes, Richard W; Hughes, Ted O and Marian Trust; Hughes, )  
 8 Tony and Sharon Family Trust; Incopero, Frank Vincent; )  
 9 Jones, Arthur L., Sr.; Jones, Barbara A; Jones, Debra L; )  
 10 Kates, Carolyn M; Kirchner, Michael & Karen Family Trust; )  
 11 Knapp, Dennis R; Kutschenreuter, Herman J; Kutschenreuter, Sue; )  
 12 Laumer Living Trust; Leavitt, Brian B; Leavitt, Kim S; Lee, )  
 13 Blair H; Lenning, Grace A; Lenning, James L; Litterer, Jeffrey S; )  
 14 Litterer, Therese A; Lynch, Betty L; Lynch, Donald B; )  
 15 MacBlane, Gary R; Mack, Eugenie H; Mack, Luther; )  
 16 MacMannus, Leslie J; Maineline Vinyl Sheeting Corp.; Mason, )  
 17 Bernadine K; Mason, Evered J; Mathas, John A; Mathas, )  
 18 Nancy J; McCarthy, Michael R; McCarthy, Michael Ann )  
 19 Campoy; McGarity, David Hoyt; McGarity, Mary Colleen; )  
 20 Me-Too, Inc.; Mosby, Jack L; Mosby, Rena A; )  
 21 Murphy Revocable Trust u/d/t 7-22-98; Nall, Lucille G; )  
 22 Nesbit, Edwin E; Nesbit, Pamela H; Neubauer, Nancy M; )  
 23 Nickum, Kelly L; Norby, Daniel A; Norman, Ruth A 1991 Trust; )  
 24 Oliver, Alan W; Oliver, Jo M; Oreb Trust; Parker, Emily Grace; )  
 25 Parker, Susan Emily; Parrott, Cherylin K; Parrott, Harold T; )  
 26 Peck, Michael; Pepple, Grace; Pepple, James L; )  
 27 Perkins, Carol Louise Family Trust; Petersen, Martin W; )  
 28 Petersen, Natalie; Petersen, Norma D; Petrak, Jack R; )  
 Pinion Ranch Estates, LLC; Pitt, Sharlet L. 1993 Trust; Pulido, )  
 Jesse H; Pulido, Margaret G; Remick, Frank W; Remick, )  
 Janice I; Riley, Patricia; Roseberry, Jacob E; Roseberry, )  
 Kimberly R; SV Development; Savage, John A; Savidge, Dale A; )  
 Savidge, Maureen P; Schmidt, Leonard L; Schwake, )  
 Frederick W; Schwake, Patricia R; Schwandt, Rudolph A; )  
 Scodak, Judy; Scodak, Stephen; Scott, Dorothy L; , )  
 Seldomridge, Patricia D; Sellers, Brenda; Sellers, Carol Jean; )  
 Sellers, Frederick E; Sellers, Larry W; Seubert, Donald R and )  
 Sophia Trust; Severinsen, Darrell R; Severinsen, Sheryl A; )  
 Seward, John F, Sr.; Seward, Joyce A; Shaffer, Timothy M; )  
 Shaw, Lee; Sherwood, Helen L; Singleton, Charles M; )  
 Singleton, Rose M; Sipple, Anthony Joseph; Sipple, Cathryn A; )  
 Skaggs Family Trust; Smith, Anthony K; Smith, Christine R; )  
 Smith, Kenneth M; Smith, Richard R, Sr.; Smith, Shirley K; )  
 Smith, William S; Solway, Nancy L; Solway, Walter T, Jr.; )

Soukup, Andrew J; Soukup, Lee; Soukup, Lisa; South Lyon )  
 1 County Hospital District; Sovereign Enterprises, LLC; Spahn, )  
 Donna J; Spezzi, Donna M; Spezzi, Stanley R; Spooner, )  
 2 Kenneth C; Spooner, Margaret M; Springs, Carol L; Springs, )  
 3 Louis D; Spurgeon, Elbert C 2004 Family Trust; Spurlock, )  
 4 Melvin R; St. Jean, Wilfred and Roma Trust; Stanley Family )  
 Trust dtd 12/11/97; Stanton, Michael J; Steele, Gary P; Steele, )  
 5 Helen L; Steele, Stephanie L; Stephens, Kathleen E; Stephens, )  
 Ronald L; Stewart, Kathleen L; Stewart, Kim K; Stiles, Nancy A;) )  
 6 Stokes, Albert E; Stokes, Susan M; Storey, Arthur L; Stutts, )  
 7 Cheryl; Stutts, Larry; TPKW Family, LP; Tanaka, Cindy; )  
 Teodorski, Tanya M; Testa, Anthony J; Testa, Judith K; )  
 8 Tibbals, Joseph W; Tibbals, Margaret F; Tiscareno, Hope E; )  
 9 Tiscareno, Juan P; Towne, Catherine L; Tucker, Richard Allan; )  
 Tucker, Sandra Kaye; Turner, Jo Anne; Uhland Family Trust; )  
 10 Urrea, Marjorie L; Valentino Family Trust; Van Norman, )  
 Charles V; Van Norman, Linda Dianne; Van Winkle, Raymond W;) )  
 11 Vial, Sandy Marie; VonSeeburg, John A and Lorraine E )  
 12 Revocable Trust; Wade/Fernley, LP; Washington, Bonnie; )  
 13 Wawers, Sylvia C; Welle, Patricia C; Weller, Bessie A; )  
 Weller, William H; Whitaker, Richard S; White, Kirk Family )  
 14 Trust; Wiant Living Trust; Wilcox, Eric Kenneth Trust; )  
 15 Wilkerson, Dennis L; Wilkerson, Elouise M; Williams, Gypsy; )  
 Williams, Phyllis; Willis, Marlene D; Willis, Randall D; )  
 16 Wilson, Martha; Wilson, Wylie; Wirthwein Survivor's Trust )  
 17 Wray, Camille G Trust; Yerington Ventures, LLC; )  
 Young, Daniel & Shelby Revocable Living Trust; )  
 18 Zumpft, Charles W and Karen M Family Trust )  
 19 )  
 Arellano, Noel; Arellano, Rosalba; Baker, Kenneth E; Baker, )  
 20 Linda M; Berrington, Phyllis; Blandin, Nancy L; Bobula )  
 Living Trust dtd 12/03/97; Borden, Donn T; Boudreau, Hilary H;) )  
 21 Boudreau, Michael P; Bowden Family Trust dtd 3/23/00; Bowen,) )  
 22 Mary Lisa; Bowen, Wallice; Bowman, Ann M; Bowman, )  
 Wayne D; Bowman, William R; Brigham, Jeanne Diane; Brown,) )  
 23 David A; Brown, Rose L; Brown, Wesley W and Clara A Living )  
 24 Trust; Brusse, Janet Q; Brusse, Larry A; Bump, Delbert W; )  
 Bunch, Suzanne E; Burchell, Clyde E; Burchell, Teresa J; )  
 25 Burton, Robert A; Bush, Lota Trust; Buskirk, Diane; Butler, )  
 Arlene J; Butler, Donald L; Butler, Lee G; Butler, Shannel C; )  
 26 Butcher, Terry E; Clyde, Shawn M; Clyde, Vicki A; Cooper, )  
 27 Leon L; Cooper, Mary Ann; Cummings, Dianna L; Cummings, )  
 Edward M; Curtis, Launa; Curtis, Steve; Cutright, Ginger L; )  
 28 Cutright, Maxwell K; Dahlin, Patricia L Trust; Dalrymple, )

1 Donald D; Damron, Eunice M. Trust; Dane, Albert J; Dane, )  
 2 Judy H; Daniels, Jessica Barlow; Daniels, John E; Darling, )  
 3 Jim S; Darling, Sheena G; Davidson, Dennis; Davidson, Joni S; )  
 4 Davidson, Nathan S; Davis Family Trust dtd 2/11/93; )  
 5 Survivor's Trust of the Day Family Trust; Day, Bobby R; Day, )  
 6 Helen M; Debusk, Annette G; Debusk, W Michael; Decorte, )  
 7 Samuel; Decorte, Tony; DeForest, Kent; DeForest, Lisa A; )  
 8 DeGeorgis, Diane; Deines, Jerry V; Deines, Virginia M; )  
 9 Deitrick, April Christine; Deitrick, Kirt Allen; Del Porto, )  
 10 Christi Linn; Del Porto, Frank M; Demello, Jody; Denny, )  
 11 Douglas M; Denny, Martha D; DeWitt, Herman Sr.; DeWitt, )  
 12 Susan M; DeWitt, Wanda J; Dibble, Deborah L; Dibble, John K;) )  
 13 Diehl, Anna; Diehl, Francis K; Dieneman, David P; Dieneman, )  
 14 Sandi P; Dillon, Lyle J; Disbrow, Carolyn L; Disbrow, Peter H; )  
 15 Doering, Jeanette; Doering, Robert E; Douglas, Barbara A; )  
 16 Douglas, Michael A; Doyle Family Trust dtd 12/30/04; Dunlap, )  
 17 James T; Dunlap, Vicki L; Easton, Katheryn B; Easton, )  
 18 Robert L; Eberhart, Elmer L; Eckstein, Michael L; ECT Family )  
 19 Trust; Edney, Lorrie; Edney, Rick W; Edwards, Scott Lee; )  
 20 Eernisse, Janet B; Eernisse, Richard F; Erbin, Don; Espinoza, )  
 21 Jerry M; Espinoza, Wanda L; Euler, James Crookham; )  
 22 Evasovic, Les T; Evasovic, Michelle; Faacks, Billie Jean; )  
 23 Faacks, Kenneth D; Falkenstein, A Jerry; Faulkner, Angel Renae;) )  
 24 Faulkner, Mark R; Favor, Ida Lee; Fawcett, Herbert J; Fawcett, )  
 25 Kathy M; Fawcett, Roger L; Fentiman, Brenda G; Fentiman, )  
 26 Donald H; Fesenmaier, Mary; Fesenmaier, Michael; Fields, )  
 27 Roy O; Florio, Michael P; Focha, Judith C; Focha, Peter A; )  
 28 Foss, James Edward; Fowler, Marlene A; Fowler, Walter C; )  
 Frame, Charles R; Frechette, Bruce; Freeland, Matthew J; )  
 Freeland, Rebecca S; Frishman, Steve; Frishman, Sue; )  
 Frugoli, Walter L; Fuller, Jack R; Fuller, Reba J; Fulton, )  
 Danny L; Fulstone, R N Co.; Gable Living Trust; Galantuomini, )  
 Steven J; Galvin, Kaylyn; Galvin, Matthew J; Gaminiam, )  
 Jeanne Trust; Gansberg, Ellen C; Gansberg, Leroy D; Gant, )  
 Desiree D; Gant, Kent E; Garafano, George; Garcia, Stephen )  
 C and Cheryl A Family Trust; Garmong, Gregoroy; Gates, )  
 Edward A, Sr.; Gates, Susanne; Gauldin, R Jackson and )  
 Kathryn B Trust dtd 3/14/97; Geissinger, Catherine L; )  
 Geissinger, Mitchell J; Geissinger, Terri; Gutierrez, Alvara; )  
 Gutierrez, Guadalupe; Guy, Hazel L; Guy, Lillie S; )  
 Hakansson, Margaret; Hakansson, Michael; Hernandez, Juan P; )  
 Hernandez, Obdulia A; Holcomb, Ronald J; Holcomb, Shauna L;) )  
 Jaquay, Michael Vincent; Johns, Daniel C; Johnson, Christine; )  
 Johnson, Eric M; Johnson, John R; Johnson, Suzanne F; )

Jordon, Jeannette; Jordon, John E; Kimball, Johnnie F; LaFleur, )  
 1 Lawrence V; LaFleur, Nicole; Mason, Margaret; McDonald, )  
 Bill A; McDonald, Donna G; Merrill, Robert H; Moore, )  
 2 Harold Trust; Morgan, Dawn S; Morgan, Jacquelyn; Morgan, )  
 Kenneth L, Sr.; Morgan, Mark L; Nelson, Henry P, Jr.; )  
 3 Nelson, Joan G; Neville Sandra F; Parmar, Inder J; Parmar, )  
 4 Kathy L; Petcar Family 1997 Trust; Pierson, Norman E; )  
 Pierson, Roxana J; Pike, Sharon L; Pinkstaff, David M; )  
 5 Ramirez, Antonio; Ramirez, Maria A; Riley, Tom; Rose, )  
 6 George W; Rose, Winnie O; Sanderson, Janet A; Scandrett, )  
 Janice Ann; Scandrett, Rondal R; Schroeder, Fritz H; Schroeder, )  
 7 Janna A; Shafer Family Trust u/d/t/ 4-20-95; Shirk, Neil; )  
 8 Shultz, Frank D; Shultz, Kirk D; Sidener Cora M; Simkins, )  
 Edward A, Jr.; Simkins, Kristina L; Sinclair, Dawn M; )  
 9 Sinclair, Robert K; Singley, Erin M; Smith, Clint D; Smith, )  
 10 Loretta B; Soderquist, Dan; Soderquist, Kitti; Stockwell, )  
 Robert T; Stout, Amelia M; Stout, Earl D; Street, Dan S; )  
 11 Street, Diane J; Sturgeon, Cheryl L; Sturgeon, Ronald L; )  
 Sturtevant, Floyd M; Sturtevant, Georgia C; Swain, David F; )  
 12 Swain, Mary Alice; Swanson, Kenneth J; Swirsky, Charley A; )  
 13 Swirsky, Paula; Taylor, Brian L; Taylor, Jenifer A; Taylor, )  
 Randall L; Tenbrook, Thomas; Thieme, Marsha A; Thieme, )  
 14 Michael D; Thomas, Charles S; Thomas, Janet A; Thompson, )  
 15 Jeanne M; Thompson, Lawrence D; Thran, Linda D; Thran, )  
 16 Richard W; Tola, Jean E; Tola, Paul S; Townsend, Leigh M; )  
 Townsend, Pauline H; Tran, Laurill; Tran, Thomas M; )  
 17 Triplett, Edna J; Triplett, Everett M; Urrea, Robert J; Urrea, )  
 18 Susan T; Urschel, Ninetta M; Urschel, Victor P; Valentine, )  
 Keith; Vaught, John L; Vaught, Veronica T; Vawter, Deborah K; )  
 19 Vawter, Eric James; Walter, Beverly J; Walter, Diane J; )  
 20 Walter, John L; Warr, Dawna L; Watters, Glenn; Watters, )  
 Helen P; Weaver, Dayleen; Weaver, Vince; Weller, Harold E; )  
 21 Weller, Patricia; Williams, Mary L; Williams, Stanley E; )  
 22 Wolf, Mark A; Wolf, Paulette; Wood, Judith Lee; Woodward, )  
 Arthur R; Woodward, Bonnie L; Wright, George L; Wright, )  
 23 Gerald J; Wright, Laura P; Wright, Mary Lee )  
 24 Adams, Lisa Ann; Adams, Steven William; Allerman, LaDell; )  
 25 Andersen, Peter C Trust; Arellano, Cruz Maria; Arellano, Miguel )  
 Arlit, Michael; Arlit, Sherri; Beckham, Carolee B; Bell, Mark R; )  
 26 Benigno, Dhana; Benigno, Joc; Calka, William G; Capra, )  
 27 Ginger; Capra, Lloyd; Carter, Charles H; Carter, Mary K; )  
 Chavez, Jamie D; Chavez, Robert W; Christine, Lauri; Clark, )  
 28 Bruce A Estate; Clark, Freddie G; Clark, Gloria M; Clarke, )



1 Kimlana E; Claverie, John M; Cleary, John J Trust; Corbit, )  
 June K; D & G Investments; Davis, Catherine Louise; Davis )  
 2 John Nicholas; Del Porto, Donna; Del Porto, Robert; Demeza, )  
 Rosa Sanchez; Diekmann, Richard J; Dillon, Lyle J Estate; )  
 3 Eckstein, Clemencia C; Elder, Delvin L; Elder, Donna Carol; )  
 Enders, Nancy Lee; Epstein, Kim B; Epstein, Nancy L; Fenton, )  
 4 Jessey C; Fernandez, Janet; Foster, Stephanie S; Gangwish, )  
 Phillip W and Karen L Trust; Ganimian, Jeanne; Garretson, )  
 5 Christopher P; Grimes, Helen M; Grimes, James G; Hammond )  
 1995 Family Trust; Hana Family Trust; Harris, Jerry F; Harris, )  
 6 Royal J; Hernandez, Elsie Douglas; Hernandez, Feliciano; )  
 Hines, Laura LaPierre-; Hines, Timothy C; Hiskett, Darlene M; )  
 7 Horton, Alice G; Horton, Joseph S; Hustace, Donna K; Hustace, )  
 Thomas E; Hutchison, James C and Florence M Trust; )  
 8 Inderbieten, Linda J; Inderbieten, Robert M; Ingersoll, Allene; )  
 10 Ingersoll, Kim; Ingle, Janet L; Ingersoll, Robert; Johnson, )  
 Charles Richard; Johnson, Larry P; Johnson, Lois Florence; )  
 11 Johnson, Stephonie J; Kahn, Joan M; Kahn, Richard H; Kern, )  
 12 Carol M; Kirby, Jeff Homes, Inc.; Kirkpatrick, Melvin Trust; )  
 Klock, Karen; Knight, Cynthia; Knight, Martin; Lerg, Roy F )  
 13 Family Trust; Lewis, Kenneth; Linebarger, Neal S; )  
 Linebarger, Patricia A; Long, James M; Long, Rhonda L; )  
 14 Mason, Edward L; Mason, Jo-An P; McCammond, Wade Brian; )  
 15 McCammond, Crystal R; McClure, Daniel M; McClure, Rachel )  
 M Holbrook-; McGaughey, Kenneth L; McGaughey, Lois Y; )  
 16 McNeil, Alvin H; Meza, Bernardino; Meza, Ignacio; Miller, )  
 17 Suzanne; Mills, Robert Clifford; Mizer, Matthew C; Moon, )  
 Victoria; Oelschlager, Dorothy Trust; Ogden, Larry Jr.; Olson, )  
 18 Alan R; Olson, Diane G; Pangburn, Linda J; Pannozzo, Joy M; )  
 Pannozzo, Stephen C; Pederson, Wayne A; Perez, Daniel E; )  
 19 Perez, Melinda; Post, Delores; Rees Trust dtd 4-14-03; Reese, )  
 20 Oscar N Family Trust; Reiland, Rex W Trust; Reneau, Jack; )  
 21 Roberts, J & S Trust dtd 2-26-96; Roeder Family Trust dtd )  
 March 5, 2004; Rogers, Douglas H; Rogers, Julie A; Rycroft, )  
 22 George E; Rycroft, Patricia A; Sanford, Bruce K; Sanford, )  
 23 Lynda L; Sarkisian, Joanne; Sarkisian, John G; Savage, Henry )  
 L, Jr.; Savage, Laura; Shorter Jerry W; Shorter, Judith L; )  
 24 Singleton, James M; Singleton, Leah; Smith, 2003 DN Family )  
 25 Trust; Smith Valley Enterprises, Ltd.; Smith Valley Methodist )  
 Church; Stearns, Martin D; Stearns, Monique; Sterling Trust )  
 26 Company; Talbott, Larry F; Talbott, Sherry L; TAM Properties, )  
 27 Inc.; Taplin, James E; Taplin, Michele; Thomas, Robert C and )  
 28 Janice 2004 Trust Agreement; Thompson, Andrew E; Thompson, )  
 Dale W; Thompson, Edith O; Thompson, Priscilla J; Tibbals, )

1 Brock; Tibbals, Lisa; Tippetts, Ruth A; Tippetts, Thomas D; )  
 2 Tran, James R; Trute, M Kathy; Turnage, Robert; Tyson, Kim E;) )  
 3 Upton, Russell Wayne, Sr.; Upton, Sherry Manring; Valim, )  
 4 Catherine M; Van Dusen, Denise C; Veil, Bryan R; Veil, Leila )  
 5 C; Venables, Charles N; Veterans, Tammy Jean; Vidal, Frances )  
 6 R; Vidal, T Michael; Voss, Audrey J; Wachtel, Emil Joseph; )  
 7 Walsh, Helena M Smith-; Walsh, James J; Walter Living Trust; )  
 8 Warzynski, Deborah A; Warzynski, Robert R; Watson, Troy )  
 9 Allen; Wellock, Tammy L; Wellock, William S; Welsh, Barton )  
 10 W; Welsh, Olivia W; Wenzel, Agnes M; Wertz, Anna L; )  
 11 Wertz, Donald R, Sr.; West, Cheryle A; West, Robert W, Jr.; )  
 12 Whipple Family 2001 Trust; Whitlock 2002 Trust; Wilkins, )  
 13 Colin; Wilkins, Gale; Wilkinson, Gary and Roni Living Trust; )  
 14 Williams, A Harvey; Williams, John Cameron; Wilson, )  
 15 Patricia Ann; Wilson, Woodrow G; Wood, Aloha; Wood, )  
 16 Marty Dale; Wood, Vince. )

17 )  
 18 )  
 19 Counterdefendants, )  
 20 All known Claimants to Groundwater and Water of the )  
 21 Walker River and its Tributaries in the State of Nevada )  
 22 and the State of California. )  
 23 )  
 24 Complete Caption to be Served at a Later Date )  
 25 )  
 26 )  
 27 )  
 28 )

**FIRST AMENDED COUNTERCLAIM OF THE  
WALKER RIVER PAIUTE TRIBE**

In its order of October 30, 1992, (document #15) the Court found that the counterclaim filed by the Walker River Paiute Tribe ("Tribe") (document #1) on March 18, 1992, against the Walker River Irrigation District ("WRID") should have been filed as a cross-claim since the Tribe and the WRID were co-plaintiffs with regard to their assertions against the California State Water Resources Control Board. However, the Court also determined that the designation given by the Tribe would remain. In light of the Court's order, the Tribe files this first amended counterclaim as follows:

**INTRODUCTION**

1. This first amended counterclaim is for the recognition of a right to store water in Weber Reservoir for use on the lands of the Walker River Indian Reservation ("Reservation"), including the lands restored to the Reservation in 1936. Such rights are in addition to the rights to use water from the Walker River awarded to the United States for the benefit of the Tribe in United States v. Walker River Irrigation Dist., In Equity No. C-125 (D. Nev. 1936), as amended by, *Stipulation and Agreement for Entry of Amended Final Decree Pursuant to Writ of Mandate of the Circuit Court of Appeals - Ninth Circuit - and also Amended Decree entered herein on April 15, 1936 to Clarify Certain Provisions Thereof*, approved by, *Order for Entry of Amended Final Decree to Conform to Writ of Mandate, etc.*, United States v. Walker River Irrigation Dist., In Equity No. C-125 (D. Nev. 1940) ("Final Decree").

2. This first amended counterclaim is also for recognition of a right reserved under federal law to use surface water from the Walker River on the lands restored to the



1 Reservation in 1936. Such rights are in addition to the rights to use water from the Walker  
2 River awarded to the United States for the benefit of the Tribe in the Final Decree.  
3

4 3. This first amended counterclaim is also for recognition of a right reserved under  
5 federal law to use groundwater underlying and adjacent to the lands of the Reservation,  
6 including groundwater underlying and adjacent to the lands restored to the Reservation in  
7 1936, on the lands of the Reservation, including the lands restored to the Reservation in 1936.  
8 Such rights are in addition to the rights to use water from the Walker River awarded to the  
9 United States for the benefit of the Tribe in the Final Decree.  
10

#### 11 JURISDICTION

12 4. Jurisdiction over this first amended counterclaim is pursuant to: a) the  
13 continuing jurisdiction of the Court over the waters of Walker River and its tributaries in  
14 California and Nevada, Final Decree ¶ XIV; b) 28 U.S.C. § 1331, in that this counterclaim  
15 arises under the Constitution, laws or treaties of the United States; c) 28 U.S.C. § 1362, in  
16 that this counterclaim is brought by the Tribe and arises under the Constitution, laws or  
17 treaties of the United States; d) 28 U.S.C. § 1367 which vests the Court with supplemental  
18 jurisdiction; and e) 28 U.S.C. § 1651 which authorizes the Court to issue all writs necessary  
19 or appropriate in aid of its jurisdiction.  
20  
21  
22

#### 23 PARTIES

24 5. The Tribe is a federally-recognized Indian Tribe organized under the Indian  
25 Reorganization Act, 25 U.S.C. §§ 461, 462, 463, 464, 465, 466-470, 471, 472, 473, 474,  
26 475, 476-478, 479. The Reservation was established in 1859 with a land base of  
27 approximately 320,000 acres. Certain lands which were originally a part of the Reservation  
28

1 were restored to the Reservation on September 25, 1936, pursuant to the Act of June 22, 1936,  
2 49 Stat. 1806-07.

3  
4 6. Counterdefendants are the WRID, the State of Nevada, and all claimants to the  
5 waters of the Walker River and its tributaries, including groundwater.

6  
7 GENERAL ALLEGATIONS

8 7. The Tribe currently is entitled to use 26.25 cubic feet per second from the  
9 Walker River and its tributaries, with a priority date of November 29, 1859, to irrigate 2,100  
10 acres of land on the Reservation as it existed before September 25, 1936. Final Decree ¶ 1.

11 8. Subsequent to April 14, 1936, numerous persons and other entities, including  
12 the United States, have appropriated additional waters from the Walker River Basin and its  
13 tributaries. In many instances, such claims to the use of water have not been subject to any  
14 adjudicative process.

15 9. Weber Reservoir is a federally-constructed reservoir located on the Reservation  
16 with a storage capacity of approximately 13,000 acre feet. Portions of the reservoir were  
17 completed in 1935, and floodgates were added in 1937. The Tribe is entitled to store water  
18 from the Walker River in Weber Reservoir for all purposes recognized under federal law  
19 including but not limited to irrigation, stock watering, fish and wildlife, and domestic uses.

20 10. By the use of Weber Reservoir to store water, the Tribe can irrigate more than  
21 the 2,100 acres which it is entitled to irrigate under the terms of the Final Decree.

22 11. The Tribe's priority date for storage in Weber Reservoir is April 15, 1936. The  
23 Tribe claims 13,000 acre feet plus evaporation and seepage.

24 12. The Act of June 22, 1936, 49 Stat. 1806-07, authorized the Secretary of the  
25 Interior to set aside certain lands as an addition to the Reservation for the benefit of the Tribe.  
26  
27  
28

1 In accordance with that legislation, by Order dated September 25, 1936, the Secretary restored  
2 to the Reservation approximately 167,460 acres.

3 13. The Tribe is entitled to use water from the Walker River on the lands restored  
4 to the Reservation in 1936 for all purposes recognized under federal law including but not  
5 limited to irrigation, stock watering, fish and wildlife, recreation and domestic uses.  
6

7 14. The instant suit, commenced by the United States in 1924, was brought to quiet  
8 title and only concerned the water rights for use on the Reservation as the boundaries existed at  
9 the time the suit was commenced. The suit did not adjudicate the groundwater rights of any of  
10 the parties in the litigation.  
11

12 15. The Tribe is entitled to use groundwater underlying and adjacent to the lands  
13 within the Reservation, including groundwater underlying and adjacent to the lands restored to  
14 the Reservation in 1936, for all purposes recognized under federal law including but not  
15 limited to irrigation, stock watering, fish and wildlife, recreation and domestic uses.  
16

17 16. Paragraph XIV of the Final Decree provides that this Court retains jurisdiction  
18 for modification of this decree.  
19

20 FIRST CLAIM FOR RELIEF

21 17. Paragraphs 1-16 are incorporated herein by reference.

22 18. The Tribe is entitled to store water from the Walker River in Weber Reservoir  
23 for all purposes recognized under federal law. The Tribe's right to store water in Weber  
24 Reservoir has a priority date of April 15, 1936.  
25

26 SECOND CLAIM FOR RELIEF

27 19. Paragraphs 1-16 are incorporated herein by reference.  
28

1           20.    The Tribe is entitled to use water from the Walker River on the lands restored  
2 to the Reservation in 1936 for all purposes recognized under federal law.  
3

4                                   **THIRD CLAIM FOR RELIEF**  
5

6           21.    Paragraphs 1-16 are incorporated herein by reference.  
7

8           22.    The Tribe is entitled to use groundwater underlying and adjacent to the lands of  
9 the Reservation, including groundwater underlying and adjacent to the lands restored to the  
10 Reservation in 1936, for all purposes recognized under federal law with a priority date of  
11 November 29, 1859, on the lands of the Reservation including the lands restored to the  
12 Reservation in 1936.

13           **WHEREFORE**, the Tribe prays that the Court:

14           1.    Pursuant to the jurisdictional bases set forth in Paragraph 4 hereof, reopen and  
15 modify the Final Decree to recognize, and declare and quiet title to:

16                   A.    The right of the Tribe to store water in Weber Reservoir for use on the  
17 Reservation including the lands restored to the Reservation in 1936;  
18

19                   B.    The right of the Tribe to use water on the lands restored to the  
20 Reservation in 1936;

21                   C.    The right of the Tribe to use groundwater underlying and adjacent to the  
22 Reservation on the lands of the Reservation including the lands restored to the Reservation in  
23 1936;  
24

25                   D.    The right of the Tribe to use groundwater underlying and adjacent to the  
26 lands restored to the Reservation in 1936 on the lands of the Reservation including the lands  
27 restored to the Reservation in 1936.  
28

2. Declare that the defendants and counterdefendants have no right, title or other interest in or to the use of such water rights.

3. Preliminarily and permanently enjoin the defendants and counterdefendants from asserting any adverse rights, title or other interest in or to such water rights.

4. Grant such other and further relief as it deems proper.

Dated: 30 July 1997

Respectfully submitted,

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(702) 782-3099

By: Alice E. Walker  
Alice E. Walker

*Attorneys for the WALKER RIVER PAIUTE TRIBE*

**CERTIFICATE OF SERVICE**

I hereby certify that I have sent a true and correct copy of the foregoing First Amended Counterclaim of the Walker River Paiute Tribe, via U.S. Mail or Overnight Carrier (if so indicated), all charges prepaid thereon, this 30<sup>th</sup> day of July 1997, addressed to:

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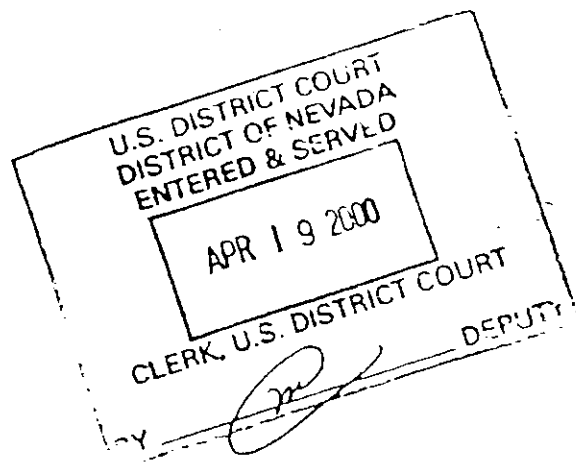
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FILED  
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BY: [illegible]  
CLERK

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 WALKER RIVER PAIUTE TRIBE,  
13 Plaintiff-Intervenor,

14 vs.

15 WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

16 Defendants.

17  
18 UNITED STATES OF AMERICA,  
WALKER RIVER PAIUTE TRIBE,

19 Counterclaimants,

20 v.

21 WALKER RIVER IRRIGATION DISTRICT,  
22 et al.,

23 Counterdefendants.

24 The enormity and complexity of the issues pending with  
25 respect to the First Amended counterclaims filed by the United  
26 States and the Walker River Paiute Tribe certainly suggest that

In Equity No. C-125-ECR  
Subfile No. C-125-B -

CASE MANAGEMENT ORDER



1 some sort of bifurcation would be helpful in processing the action.  
2 Any such bifurcation may involve some duplication of work in  
3 relation to subsequent phases of the case. There does not seem to  
4 be any way to entirely avoid duplication, but we should endeavor to  
5 do so to the extent that we can. Another major concern is whether  
6 persons litigating in later phases of the case may find themselves  
7 prejudiced by being bound by decisions and adjudications in earlier  
8 phases where they did not participate. This, too, we should  
9 endeavor to avoid.

10 Without bifurcation of some sort, the case may simply be  
11 too big and too complex to process on a reasonable basis.

12 Having determined that some sort of bifurcation is  
13 desirable and necessary, we conclude that, in general terms, the  
14 proposal of the U.S./Tribe to bifurcate the "Tribal Claims" is as  
15 good and logical a basis for dividing the case as has been  
16 suggested or can be devised.

17 While many of the defenses to the claims of the  
18 U.S./Tribe claims for the Walker River Paiute Indian Reservation  
19 may be the same or similar to the defenses that may be offered with  
20 respect to the remaining claims of the U.S. for other Indian  
21 reservations and lands and federal enclaves and federal lands, each  
22 of the remaining claims appears to require development of a  
23 distinctly different factual scenario, as well as specific legal  
24 basis. This presents one good reason to bifurcate as suggested by  
25 the U.S./Tribe. Exactly how the defenses which overlap the claims  
26 for the Walker River Paiute Indian Reservation will play out as to

1 each of the other separate claims is uncertain and adds  
2 justification for the proposed bifurcation.

3 In the order that follows, we have expanded the  
4 categories of water rights holders to be served with process  
5 somewhat beyond the categories suggested by the U.S./Tribe in their  
6 proposed case management order, but have not included all such  
7 categories as have been suggested by the Walker River Irrigation  
8 District and States of Nevada and California.

9 The categories to be served with process may be subject  
10 to adjustment and modification by order of the Magistrate Judge as  
11 he may find to be appropriate. However, we note that we have  
12 limited domestic users to be served with process to those whom, it  
13 appears, might be affected by pumping of underground water on the  
14 Walker River Paiute Indian Reservation. If it is shown that other  
15 domestic users could be affected by such pumping or that the  
16 underground and surface water constitute a single hydrological  
17 system where an earlier priority for the tribe for surface or  
18 underground waters could affect the rights of other domestic users,  
19 the Magistrate Judge should make an order expanding the category of  
20 domestic users who are required to be served with process.

21 We have also expanded the categories of water rights  
22 holders who have permits to pump groundwater issued by the State of  
23 Nevada and who are required to be served with process to additional  
24 Sub Basins in Nevada. This has been done because of the claim that  
25 underground and surface waters constitute a single source.  
26

1           These additional categories are also subject to  
2 modification by the Magistrate Judge on the same basis as noted  
3 above.

4           With the conclusion that the Tribal claims should be  
5 bifurcated in mind, we then endeavor to devise a case management  
6 order to provide for such bifurcation, taking into account the  
7 companion considerations noted above.

8           IT IS, THEREFORE, HEREBY ORDERED that:

9           (1) The claims of the Tribe contained in the First  
10 Amended Counterclaim of the Tribe and the claims of the U.S. on  
11 behalf of the Tribe (First, Second, and Third Claims for Relief)  
12 set forth in the First Amended Counterclaim of the U.S. are hereby  
13 bifurcated from all other claims raised by the U.S. in its  
14 pleading. The bifurcated claims are sometimes referred to herein  
15 as the "Tribal Claims." Reference to the U.S./Tribe below refers  
16 separately to the United States and its said claims, set forth in  
17 its First Amended Counterclaim in behalf of the Tribe and to the  
18 Walker River Paiute Tribe and its claims set forth in its First  
19 Amended counterclaim.

20           (2) The Tribal Claims shall proceed as described in this  
21 Case Management Order. All discovery and all other proceedings in  
22 this action included in or in connection with the said First  
23 Amended Counterclaims are stayed, until the further order of the  
24 court, and except as provided in this order.

25           SERVICE OF PROCESS AND FILING OF LIS PENDENS  
26

1 (3) Prior to the resolution of the Threshold issues  
2 identified below, the U.S./Tribe shall effect service of their  
3 respective First Amended Counterclaims, notices in lieu of summons,  
4 requests for waiver of service, and the within Case Management  
5 Order on all of the members of the categories of water rights  
6 holders described below. Each of the members of each said category  
7 shall be named as a Counterdefendant in this case.

8 (a) The successors in interest to all water rights  
9 holders under the Decree (April 14, 1936), modified, Order for  
10 Entry of Amended Final Decree to Conform to Writ of Mandate,  
11 Etc. (April 24, 1940) ("1936" Decree).

12 (b) All holders of surface water rights under the laws  
13 of the States of Nevada and California in the Walker River  
14 Basin who are not presently parties to this adjudication.

15 (c) All holders of permits or certificates to pump  
16 groundwater issued by the State of Nevada and domestic users  
17 of groundwater within Sub Basins 107 (Smith Valley), 108  
18 (Mason Valley), 110A (Schurz Subarea of the Walker Lake  
19 Valley), and 110B (Walker Lake Subarea of the Walker Lake  
20 Valley).

21 (d) All holders of permits or certificates to pump  
22 groundwater issued by the State of Nevada within Sub Basins  
23 106 (Antelope Valley), 109 (East Walker), and 110C (Whiskey  
24 Flat-Hawthorne Subarea of Walker Lake Groundwater Basin).

25 (e) All users of groundwater for irrigation in  
26 California. IN THE WALKER RIVER BASIN.

1 (f) All holders of "vested rights" to the use of  
2 groundwater under the laws of the State of Nevada within the  
3 Walker River Basin.

4 (g) All municipal providers in Nevada within the Walker  
5 River Basin who currently use groundwater.

6 (h) All municipal providers in California within the  
7 Walker River Basin who currently use groundwater.

8 (i) All industrial users in Nevada within the Walker  
9 River Basin who currently use groundwater.

10 (4) Subject to the requirements of this order, within 60  
11 days of entry of this Case Management Order the parties shall file  
12 an agreed-upon Notice in Lieu of Summons for the Tribal Claims and  
13 agreement upon procedures for recording Lis Pendens to the  
14 Magistrate Judge for his consideration and approval. To the extent  
15 the parties cannot agree on any of these issues they shall, within  
16 said period of time, file their own proposals regarding such issues  
17 for consideration and decision by the Magistrate Judge. Procedures  
18 for recording of Notices of Lis Pendens will be determined by the  
19 Magistrate Judge by order.

20 (5) To the extent the U.S. and the Tribe cannot effect  
21 service or obtain a waiver of service from all the individual  
22 members of the categories of water rights holders and users listed  
23 above, and all other claimants to surface and groundwater rights  
24 not identified or who are unknown, the U.S./Tribe may move for  
25 publication of summons consistent with Fed. R. Civ. P. 4 and the  
26 laws and rules applicable for Nevada and California respectively to

1 the extent they are to be used according to Fed. R. Civ. P. 4. The  
2 Magistrate Judge shall consider any such motion and rule on the  
3 same so as to grant or deny such motion for publication in whole or  
4 in part.

5 (6) The Magistrate Judge shall establish a schedule for  
6 completion of service of process which may be modified by further  
7 order from time to time as appropriate.

8 The Magistrate Judge is authorized to consider and decide  
9 all issues which may arise pertaining to service of process.

10 (7) The Magistrate Judge shall conduct all necessary  
11 proceedings and shall decide how the information shall be obtained  
12 by the U.S./Tribe to enable them to identify the individuals and  
13 entities with claims to surface water and/or groundwater in the  
14 Walker River Basin who are the appropriate counterdefendants to the  
15 U.S./Tribe said counterclaims. The Magistrate Judge shall  
16 determine the responsibilities of the respective parties to provide  
17 such information and at whose cost. Such information may be  
18 ordered obtained through orders devised by the court or discovery  
19 or other processes, so that the litigation may proceed in a  
20 reasonable manner.

21 In this connection, the Magistrate Judge shall also  
22 consider and determine how, when, and at whose cost information  
23 regarding changes or modification in the individuals or entities  
24 with such water rights claims shall be provided as between the  
25 parties and the entities which receive information respecting any  
26



1 such changes, until service of process is complete on the  
2 counterclaims.

3 (8) The U.S./Tribe may seek costs of service pursuant to  
4 the requirement of Fed. R. Civ. P. 4(d) during their service  
5 efforts under this Case Management Order.

6 (9) After the U.S./Tribe have received the information  
7 and compiled the list of parties whom they intend to serve, that  
8 list and a description of the procedures by which it was compiled  
9 shall be filed and provided to the parties who shall have such  
10 period of time as the Magistrate Judge shall determine to file  
11 objections indicating whether the list is complete and includes all  
12 such water rights claimants within the categories described in  
13 paragraph (3) above who can reasonably be identified. The  
14 Magistrate Judge shall consider and rule on all such objections.  
15 Corrections to the list of intended parties may be made during the  
16 period of the service of process upon appropriate notice and  
17 approval of the Magistrate Judge.

18 Scheduling, Case Management

19 (10) Following completion of service of process on the  
20 said counterclaims, the Magistrate Judge shall receive  
21 recommendations of the parties for procedures for scheduling and  
22 for the efficient management of the litigation given the number of  
23 parties to the case. Such procedures may include the use of common  
24 counsel, special procedures for service of pleadings, or any other  
25 mechanisms deemed likely to reduce the burdens on the parties and  
26 the court in a case of this magnitude. The Magistrate Judge shall

1 consider and make all appropriate rulings with respect to these  
2 matters.

3 Threshold Issues Relative to Tribal Claims

4 (11) As soon as convenient after the entry of this order,  
5 and upon appropriate notice to the parties presently appearing in  
6 the case, the Magistrate Judge shall consider and make a  
7 preliminary determination of the threshold issues to be addressed  
8 at the outset of the litigation on the U.S./Tribe said  
9 counterclaims. Scheduling of such consideration shall go forward  
10 notwithstanding other proceedings provided for in this order. The  
11 list of threshold issues regarding said claims will not be finally  
12 resolved and settled by the Magistrate Judge until all appropriate  
13 parties are joined. Nevertheless, the parties are directed to  
14 identify all potential threshold issues promptly and to submit them  
15 to the Magistrate Judge for consideration, as he shall direct, so  
16 that action may proceed as promptly as possible upon conclusion of  
17 service of process. In general, threshold issues, among others,  
18 shall address jurisdiction, claim, preclusion, applicable law,  
19 equitable and other defenses which may be raised by any party.

20 Among others, the Magistrate Judge shall consider  
21 inclusion in the list of threshold issues to the resolution of the  
22 said Tribal Claims to be addressed at the outset of the litigation:

23 (a) Whether this court has jurisdiction to adjudicate  
24 the said Tribal Claims. If so, to what extent should the  
25 court exercise its jurisdiction in these matters. In this  
26 connection, what is the scope of this court's subject matter

1 jurisdiction to adjudicate the Tribal Claims to groundwater,  
2 as well as to additional surface waters?

3 (b) Does federal law govern the pumping of groundwater  
4 on the Walker Lake Paiute Indian Reservation by the Tribe or  
5 the U.S. on its behalf?

6 (c) If the Tribe has the right to pump groundwater under  
7 federal law, are such rights, as a matter of federal law,  
8 subject to different protections than those provided by State  
9 law?

10 (d) Whether the court has jurisdiction over groundwater  
11 used pursuant to State law outside the exterior boundaries of  
12 the Walker River Paiute Indian Reservation if such use  
13 interferes with the Tribe's rights under federal law to use  
14 water from the Walker River system. If so, should the court  
15 exercise that jurisdiction?

16 (e) Whether equitable defenses bar some or all of the  
17 said Tribal Claims. Within such time as shall be fixed by the  
18 Magistrate Judge the parties now or hereafter appearing in the  
19 case shall file for consideration by the Magistrate Judge a  
20 statement as to any defenses or issues they intend to assert.

21  
22 (f) Whether, regardless of the extent of hydrologic  
23 connection between surface and groundwater, this court is  
24 required to accept the distinction drawn between surface water  
25 rights and groundwater rights provided by California and  
26 Nevada law.

1 (g) Are the holders of surface water rights established  
2 under federal law entitled to protection from the use of  
3 groundwater beyond the protection provided to holders of  
4 surface water rights established under state law.

5 (h) If the only jurisdiction of this court with respect  
6 to groundwater issues is to protect surface water rights  
7 established under federal law from interference by junior  
8 groundwater users, must the issues of interference be decided  
9 as a part of the adjudication of federal surface water claims.

10 Phasing of Proceedings

11 (12) Pretrial proceedings in this case with respect to  
12 the Tribal Claims shall be conducted in multiple phases as follows:

13  
14 (a) Phase I of the proceedings shall consist of the  
15 threshold issues as identified and determined by the  
16 Magistrate Judge.

17 (b) Phase II will involve completion and determination  
18 on the merits of all matters relating to the said Tribal  
19 Claims.

20 A Scheduling Order shall be entered by the Magistrate  
21 Judge, in accordance with this order, and such other  
22 appropriate matters as he shall consider necessary to provide  
23 for completion of consideration of Phases I, II, and  
24 subsequent phases in the case.

25 (c) Additional phases of the proceedings shall encompass  
26 all remaining issues in the case. Such phases shall be

1 determined and scheduled by the Magistrate Judge and may, to  
 2 the extent he determines, overlap Phases I and II as  
 3 appropriate. We do anticipate, however, that the additional  
 4 phases will not be scheduled by the Magistrate Judge at least  
 5 until the threshold issues as set forth above have been  
 6 decided on the merits. The additional phases shall include,  
 7 but not be limited to:

8 (a) All other claims, crossclaims, counterclaims,  
 9 defenses and issues raised by the pleadings of the  
 10 parties that are not included in the threshold  
 11 issues.

12 (b) All other issues related to the Tribal Claims.

13 (c) All issues related to the other Federal Claims.

#### 14 Responses to Process

15 (13) The notices in lieu of summons shall notify the  
 16 persons or entities served concerning how and when they must  
 17 respond. They shall be directed to file and serve upon the U.S.,  
 18 <sup>DELETED PER ORDER 11/27/2007</sup>  
~~[the Tribe, the Walker River Irrigation District, the States of~~  
 19 ~~Nevada and California,]~~ within 60 days after completion of service  
 20 of process (or where service is by publication within 60 days after  
 21 the last day of publication of such service), a notice of  
 22 appearance and intent to participate. No Answers or other pleading  
 23 will be required except upon further order of the Magistrate Judge  
 24 entered thereafter. No default shall be taken for failure to  
 25 appear.  
 26

1 (14) Upon completion of Phase I it may be necessary to  
2 join additional parties.

3 Discovery, Motions and Further Proceedings

4 (15) Once the Magistrate Judge has finally determined the  
5 threshold issues, discovery shall be allowed to all parties on the  
6 threshold issues. Discovery shall also be permitted during that  
7 same time period concerning the basis for the Tribal Claims; such  
8 discovery shall be limited to propounding of interrogatories and  
9 requests for production of documents relating to the contentions of  
10 the U.S./Tribe with respect to the basis for the Tribal Claims.

11 The discovery provided for in this paragraph (15) shall  
12 be conducted for such period and according to such terms,  
13 conditions, modifications and extensions to this order as shall be  
14 determined to be appropriate by the Magistrate Judge.

15 As provided above, all other discovery is stayed.

16 (16) Motions which may be dispositive or partially  
17 dispositive of any threshold issue shall be deferred until  
18 completion of discovery as permitted by this order and shall be  
19 filed thereafter within such time period and schedules for answers  
20 and replies as shall be determined by the Magistrate Judge. Such  
21 dispositive motions, however, will be decided by the undersigned  
22 judge.

23 (17) To the extent the threshold issues are not resolved  
24 by motions, an evidentiary hearing shall be held before the  
25 undersigned judge at such time and according to such conditions  
26

1 (including, as appropriate, the filing of joint prehearing orders  
2 as shall be determined by the Magistrate Judge.

3 (18) If a party wishes to perpetuate testimony relevant  
4 to this matter, that party shall comply with Fed. R. Civ. P. 27 and  
5 any applicable Local Rule. The Magistrate Judge will consider and  
6 determine all issues pertaining to perpetuation of testimony.

7 (19) Any party may move for modification of this Case  
8 Management Order for good cause shown. The Magistrate Judge shall  
9 have authority to change, modify and adjust this order. The  
10 Magistrate Judge shall hold regular periodic status conferences at  
11 times he shall determine, so that he and the parties may be advise  
12 as to the progress of the case and problems encountered, so that  
13 appropriate changes, modifications, and adjustments may be made in  
14 this order and such problems addressed.

15 IT IS FURTHER ORDERED that the Joint Motion For Leave to  
16 Serve First Amended Counterclaim filed by U.S./Tribe (#62) is  
17 GRANTED on the basis and to the extent set forth in this order.

18 The motions (#67), (#90), (#96), and (#98) are all  
19 considered ruled upon and decided as provided in the within order.

20 DATED: April 18, 2000.

21   
22 \_\_\_\_\_  
23 UNITED STATES DISTRICT JUDGE  
24  
25  
26



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

FILED  
03 JUL -9 PM 3:03

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

Defendants.

IN EQUITY NO. CV-125-ECR

SUBFILE NO. C-125-B

ORDER REGARDING  
CHANGES IN OWNERSHIP  
OF WATER RIGHTS

U.S. DISTRICT COURT  
DISTRICT OF NEVADA  
ENTERED & SERVED  
JUL 16 2003  
CLERK U.S. DISTRICT COURT  
BY [Signature]

The following background information is provided to aid in understanding the reasons for and what is required by this Order:

1. The Court has ordered that certain persons and entities be included as parties to this action because they own water rights within one or more of the nine categories set forth in Paragraph 3 of the Court's *Case Management Order* (Apr. 18, 2000).

2. During the course of this action, it is possible that a party will sell or otherwise convey ownership of all or a portion of the water rights which that party owned when brought into this action by a Waiver of Service of Notice in Lieu of Summons or by service of a Notice in Lieu of Summons.

3. A change in ownership of a water right or a portion of a water right can occur in a number of ways and for a variety of reasons. Often a change in ownership of a water right occurs when ownership of some or all of the land on which the water is used changes. A change in ownership may involve a sale, a gift, a death or even a divorce. It may also involve estate or business planning decisions such as conveyance to an inter vivos trust or a limited liability company. Frequently changes in ownership are accomplished by a deed. However, in an estate or divorce proceeding they may be accomplished by an order of a court. These examples are not

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1 a exclusive list of all of the ways in which a change in ownership may occur.

2 4. It is important that the Court and the Plaintiffs be notified of changes in the  
3 ownership of water rights while this action is pending because among other things, a change in  
4 ownership may require that a new party be included in the action, or that a present party be  
5 dismissed or both.

6 Based upon the foregoing it is hereby ORDERED as follows:

7 1. If a party to this action sells or otherwise conveys ownership of all or a portion of  
8 any water right within any of the nine categories set forth in Paragraph 3 of the *Case*  
9 *Management Order* (Apr. 18, 2000)<sup>1/</sup>, that party shall, within sixty days after any such change in  
10 \_\_\_\_\_

11 2/ You should review the *Case Management Order* and *First Amended Counterclaims* filed by  
12 the United States and by the Walker River Paiute Tribe, which are included in the materials served  
13 upon you. For convenience, the nine categories of persons and entities that the Court has ordered  
14 to be served and named are listed here:

- 15 1. Category 3.a.: The successors in interest to all water rights holders under the Decree  
16 (April 14, 1936), modified, Order of Entry of Amended Final Decree to Conform to  
17 Writ of Mandate, Etc. (April 24, 1940) ("Decree").
- 18 2. Category 3.b.: All holders of surface water rights under the laws of the States of  
19 Nevada and California in the Walker River Basin who are not presently parties to this  
20 adjudication.
- 21 3. Category 3.c.: All holders of permits or certificates to pump groundwater issued by  
22 the State of Nevada and domestic users of groundwater within Sub Basins 107  
23 (Smith Valley), 108 (Mason Valley), 110A (Schurz Subarea of the Walker Lake  
24 Valley, and 110B (Walker Lake Subarea of the Walker Lake Valley).
- 25 4. Category 3.d.: All holders of permits or certificates to pump groundwater issued by  
26 the State of Nevada within Sub Basins 106 (Antelope Valley), and 109 (East  
27 Walker), and 110C (Whiskey Flat-Hawthorne Subarea of Walker Lake Groundwater  
Basin).
5. Category 3.e.: All users of groundwater for irrigation in California in the Walker  
River Basin.
6. Category 3.f.: All holders of "vested rights" to the use of groundwater under the laws  
of the State of Nevada within the Walker River Basin.
7. Category 3.g.: All municipal providers in Nevada within the Walker River Basin who  
currently use groundwater.
8. Category 3.h.: All municipal providers in California within the Walker River Basin  
who currently use groundwater.
9. Category 3.i.: All industrial users in Nevada within the Walker River Basin who  
currently use groundwater.

ownership, notify the Court and the United States of the change in ownership.

2. The notice required by this Order shall provide the following information:

- A. The name and address of the party who sold or otherwise conveyed ownership;
- B. The name and address of each person or entity who acquired ownership; and
- C. A copy of the deed, court order or other document by which the change in ownership was accomplished.

3. The notice shall be sent to the Court and counsel for the United States addressed as follows:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

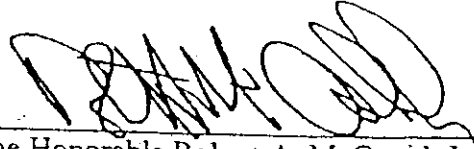
Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

4. The form and substance of the notice shall substantially conform to the form of notice attached to this order as Exhibit A.

5. Any person or entity who files a Notice of Change of Ownership of Water Right using the attached form or provides information for this purpose by other means is ultimately responsible for the accuracy of this filing. Consequently, any person or entity who files such a notice regarding water rights subject to this litigation, but retains such water rights, shall nevertheless be bound by the results of this litigation.

IT IS SO ORDERED:

Dated: July 9, 2003.

  
The Honorable Robert A. McQuaid, Jr.  
United States District Court Magistrate Judge



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

Defendants.

)  
)  
) In Equity No. C-125-ECR  
) Subfile No. C-125-B

) NOTICE OF CHANGE OF  
) OWNERSHIP OF WATER RIGHT

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Name(s)

Street or P.O. Box



2 Town or City State ZipCode

3 2. The name and address of each person or entity who acquired ownership

4 Name(s)

5 Street or P.O. Box

6 Town or City State ZipCode

7 3. Attached to or included with this notice is a copy of the (check appropriate  
8 box(es)):

- 9 ☐ Deed
- 10 ☐ Court Order
- 11 ☐ Other Document.

12 by which the change in ownership was accomplished.

13 4. The undersigned acknowledges that any person or entity who files a Notice of  
14 Change of Ownership of Water Right using this form is ultimately responsible for the accuracy  
15 of this filing. Consequently, the undersigned acknowledges that any person or entity who files  
16

17

18

19 \*

20 This notice shall be sent to the following two persons:

21 Linda Lea Sharer, Chief Deputy Clerk  
22 United States District Court for the District of Nevada  
23 400 South Virginia Street, Suite 301  
24 Reno, NV 89501

25 And

26 Susan L. Schneider  
27 United States Department of Justice  
28 P.O. Box 756  
Littleton, CO 80160





such a notice, but retains such water rights, shall nevertheless, be bound by the results of this litigation.

Executed this \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_.

[signature of counter-defendant]

[name of counter-defendant]

[signature, if applicable, of person acting on  
behalf of counter-defendant]

[name, if applicable, of person acting on  
behalf of counter-defendant]

[address]

[telephone number]



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

FILED  
JULY 9, 2003

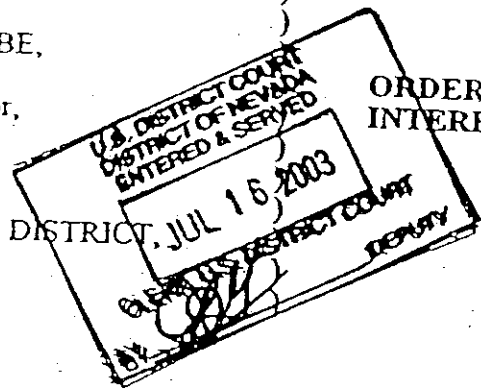
CLERK  
DEPUTY  
IN EQUITY, NO. C-125  
SUBFILE NO. C-125-B

UNITED STATES OF AMERICA,  
Plaintiff,

WALKER RIVER PAIUTE TRIBE,  
Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,



ORDER - DISCLAIMER OF  
INTEREST

The following background information is provided to aid in understanding the reasons for and what is required by this Order:

1. The Court has ordered that certain persons and entities be included as parties in this action because they own water rights within one or more of the nine categories set forth in Paragraph 3 of the Court's April 18, 2000 Case Management Order.

2. It is possible that some of the specific persons or entities who are served with a Waiver of Service of Notice in Lieu of Summons, Notice of Lawsuit, or a Notice in Lieu of Summons do not belong in this action, because, for example, they may have sold or otherwise conveyed the ownership of all water rights subject to this action prior to being served.

3. A change in ownership of a water right can occur in a number of ways and for a variety of reasons. Often a change in ownership of a water right occurs when ownership of the land on which the water is used changes. A change in ownership may involve a sale, a gift, a death or even a divorce. It may also involve estate or business planning decisions, such as conveyance to an intervivos trust or a limited liability company. Frequently, changes in ownership are accomplished by a deed. However, in an estate or divorce proceeding, they may be accomplished by an order of a court. These examples are not an exclusive list of all of the

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ways in which a change in ownership may occur.

4. It is important that the Court and the Plaintiffs be notified if a person or entity who receives service by mail or personal service does not, in fact, have any ownership interest in a water right in any of the nine categories set forth in Paragraph 3 of the Court's April 18, 2000 Case Management Order. In addition, that person or entity need not be burdened with this litigation and, if there was a change in ownership, a new party may need to be added to the action. Before any such person may be omitted from this action, certain information and documents will have to be provided to the Plaintiffs and the Court.

Based upon the foregoing, it is hereby ORDERED as follows:

1. If any person or entity receiving service by mail or personal service has no interest in any water right within any of the nine categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000)<sup>1</sup>, that person or entity shall notify the Court and the

You should review the *Case Management Order* and *First Amended Counterclaims* filed by the United States and by the Walker River Paiute Tribe, which are included in the materials served upon you. For convenience, the nine categories of persons and entities that the Court has ordered to be served and named are listed here:

1. Category 3.a.: The successors in interest to all water rights holders under the Decree (April 14, 1936), modified, Order of Entry of Amended Final Decree to Conform to Writ of Mandate, Etc. (April 24, 1940) ("Decree").
2. Category 3.b.: All holders of surface water rights under the laws of the States of Nevada and California in the Walker River Basin who are not presently parties to this adjudication.
3. Category 3.c.: All holders of permits or certificates to pump groundwater issued by the State of Nevada and domestic users of groundwater within Sub Basins 107 (Smith Valley), 108 (Mason Valley), 110A (Schurz Subarea of the Walker Lake Valley), and 110B (Walker Lake Subarea of the Walker Lake Valley).
4. Category 3.d.: All holders of permits or certificates to pump groundwater issued by the State of Nevada within Sub Basins 106 (Antelope Valley), 109 (East Walker), and 110C (Whiskey Flat-Hawthorne Subarea of Walker Lake Groundwater Basin).
5. Category 3.e.: All users of groundwater for irrigation in California in the Walker River Basin.

1 United States in writing of that fact.

2 2. If such person or entity sold or otherwise conveyed ownership of all of the water  
3 rights that the person or entity once owned before they were served or otherwise brought into  
4 this action, in addition to disclaiming any interest in this action, they shall include a notice  
5 providing the following information:

- 6 A. The name and address of the person or entity who sold or otherwise  
7 conveyed ownership;  
8 B. The name and address of each person or entity who acquired ownership;  
9 and  
10 C. A copy of the deed, court order or other document by which the change  
11 in ownership was accomplished.

12 3. The disclaimer and notice shall be sent to the Court and counsel for the United  
13 States, addressed as follows:

14 Linda Lea Sharer, Chief Deputy Clerk  
15 United States District Court for the District of Nevada  
16 400 South Virginia Street, Suite 301  
17 Reno, NV 895501

18 Susan L. Schneider  
19 United States Department of Justice  
20 P.O. Box 756  
21 Littleton, CO 80160

22 4. The form and substance of the disclaimer and notice shall substantially conform  
23 to the form attached to this Order as Exhibit A.

24 5. Following their receipt from any person or entity disclaiming any interest in any

25 6. Category 3.f.: All holders of "vested rights" to the use of groundwater under the laws  
26 of the State of Nevada within the Walker River Basin.

27 7. Category 3.g.: All municipal providers in Nevada within the Walker River Basin  
28 who currently use groundwater.

8. Category 3.h.: All municipal providers in California within the Walker River Basin  
who currently use groundwater.

9. Category 3.i.: All industrial users in Nevada within the Walker River Basin who  
currently use groundwater.

1 of the water rights at issue in this case of a Waiver of Service of Notice in Lieu of Summons  
2 and any Disclaimers of Interest and accompanying information and documents sought by this  
3 Order, Plaintiffs will review the materials received and, if appropriate, seek the Court's  
4 concurrence in omitting that person or entity filing such materials from this case.

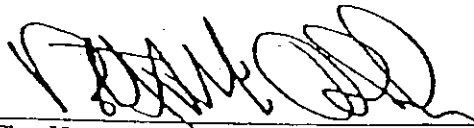
5 6. If Plaintiffs do not receive a Waiver of Service of Notice in Lieu of Summons  
6 and must personally serve a person or entity that subsequently files a Disclaimer of Interest  
7 pursuant to this Order, Plaintiffs will also review the materials received and, if appropriate,  
8 seek the Court's concurrence in omitting the person or entity from this case, but that person or  
9 entity may be subject to paying the costs related to formal personal service on them.

10 7. Despite the above provisions, any person or entity who files a Disclaimer of  
11 Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
12 any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to  
13 this litigation, shall nevertheless be bound by the results of this litigation.

14 8. Any person or entity subject to service under the Federal Rules of Civil  
15 Procedure who receives notice of this action in the manner provided by Federal Rule of Civil  
16 Procedure 4(d) remains subject to the duty to avoid unnecessary costs of serving the summons,  
17 even if that person or entity ultimately disclaims any ownership interest in any of the water  
18 rights described by Paragraph 3 of the Court's April 18, 2000 Case Management Order.

19 IT IS SO ORDERED:

20 Dated: July 9, 2003.

21  
22   
23 The Honorable Robert A. McQuaid, Jr.  
24 United States District Court Magistrate Judge  
25  
26  
27  
28



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION  
DISTRICT,

a corporation, et al.,

Defendants.

In Equity No. C-125-ECR

Subfile No. C-125-B

DISCLAIMER OF INTEREST IN  
WATER RIGHTS AND NOTICE OF  
RELATED INFORMATION AND  
DOCUMENTATION SUPPORTING  
DISCLAIMER

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk  
United States District Court for the District of Nevada  
400 South Virginia Street, Suite 301  
Reno, NV 89501

And

Susan L. Schneider  
United States Department of Justice  
P.O. Box 756  
Littleton, CO 80160

In addition, because the undersigned sold or otherwise conveyed ownership of all of the



1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

7 Name(s):

8  
9 Street or P.O. Box:

10  
11 Town or City:

12  
13 State:

14  
15 Zip Code:

16 2. The name and address of each person or entity who acquired ownership

17  
18 Name(s):

19  
20 Street or P.O. Box:

21  
22 Town or City:

23  
24 State:

25  
26 Zip Code:

1  
2  
3 3. Attached to or included with this notice is a copy of the (check appropriate  
4 box(es)):

- 5  
6 ☐ Deed  
7 ☐ Court Order  
8 ☐ Other Document.  
9

10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer  
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,  
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of  
15 this litigation.

16  
17 Executed this \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_\_\_.  
18  
19  
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22 [signature of counter-defendant]  
23  
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26 [name of counter-defendant]  
27  
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[name, if applicable, of person acting on  
behalf of counter-defendant]

[signature, if applicable, of person acting on  
behalf of Counter-Defendant]

[address]

[telephone number]

